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TIGARD CITY COUNCIL  
MEETING

October 15, 2002 6:30 p.m.

TIGARD CITY HALL  
13125 SW HALL BLVD  
TIGARD, OR 97223



PUBLIC NOTICE:

Assistive Listening Devices are available for persons with impaired hearing and should be scheduled for Council meetings by noon on the Monday prior to the Council meeting. Please call 503-639-4171, Ext. 309 (voice) or 503-684-2772 (TDD - Telecommunications Devices for the Deaf).

Upon request, the City will also endeavor to arrange for the following services:

- Qualified sign language interpreters for persons with speech or hearing impairments; and
- Qualified bilingual interpreters.

Since these services must be scheduled with outside service providers, it is important to allow as much lead-time as possible. Please notify the City of your need by 5:00 p.m. on the Thursday preceding the meeting date by calling: 503-639-4171, x309 (voice) or 503-684-2772 (TDD - Telecommunications Devices for the Deaf).

SEE ATTACHED AGENDA

A G E N D A  
TIGARD CITY COUNCIL WORKSHOP MEETING  
October 15, 2002

6:30 PM

1. WORKSHOP MEETING
  - 1.1 Call to Order - City Council
  - 1.2 Roll Call
  - 1.3 Pledge of Allegiance
  - 1.4 Council Communications & Liaison Reports
  - 1.5 Call to Council and Staff for Non Agenda Items
  
2. JOINT MEETING WITH THE INTERGOVERNMENTAL WATER BOARD TO HEAR AN UPDATE ON THE BULL RUN REGIONAL DRINKING WATER AGENCY PHASE II REPORT
  - a. Staff Report: Public Works Staff
  - b. Council Discussion
  
3. UPDATE ON THE COMMUNICATION PLAN
  - a. Staff Report: Administration Staff
  - b. Council Discussion
  
4. DISCUSSION OF PROPOSED HOUSING SET-ASIDE GUIDELINES
  - a. Staff Report: Community Development Staff
  - b. Council Discussion
  
5. DISCUSSION OF THE ADDITION OF "TREES ON PUBLIC PROPERTY" TO THE TIGARD MUNICIPAL CODE AND DISCUSSION OF TREE MANUAL
  - a. Staff Report: Public Works Staff
  - b. Council Discussion
  
6. DISCUSSION OF METRO'S URBAN GROWTH BOUNDARY EXPANSION
  - a. Staff Report: Community Development Staff
  - b. Council Discussion

7. COUNCIL LIAISON REPORTS

8. NON-AGENDA ITEMS

9. EXECUTIVE SESSION: The Tigard City Council may go into Executive Session. If an Executive Session is called to order, the appropriate ORS citation will be announced identifying the applicable statute. All discussions are confidential and those present may disclose nothing from the Session. Representatives of the news media are allowed to attend Executive Sessions, as provided by ORS 192.660(3), but must not disclose any information discussed. No Executive Session may be held for the purpose of taking any final action or making any final decision. Executive Sessions are closed to the public.

10. ADJOURNMENT

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AGENDA ITEM # \_\_\_\_\_  
FOR AGENDA OF October 15, 2002

CITY OF TIGARD, OREGON  
COUNCIL AGENDA ITEM SUMMARY

ISSUE/AGENDA TITLE Bull Run Regional Drinking Water Agency: Phase II Report

PREPARED BY: Dennis Koellermeier DEPT HEAD OK \_\_\_\_\_ CITY MGR OK \_\_\_\_\_

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ISSUE BEFORE THE COUNCIL

The Phase II Report of the Bull Run Regional Drinking Water Agency has been accepted by the Policy Steering Committee and the complete document will be distributed at the October 15<sup>th</sup> study session. The process now calls for all 13 participating agencies to review the document, provide an opportunity for public input, and reach a conclusion by March 2003.

Staff has prepared a schedule of workshops, public presentations, displays and a public hearing where the City Council, Intergovernmental Water Board, and local citizens can review and discuss the report. The issue before Council is to review the schedule for adequacy and begin the process of reviewing the report. Staff will be making a presentation on two segments of the report, Governance and Engineering.

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STAFF RECOMMENDATION

Provide guidance on the schedule and review the report.

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INFORMATION SUMMARY

Tigard has been participating in a 13-member agreement to explore the formation of a new regional water supply agency. The initial phase of that project was concluded in December of 2001, and the Tigard City Council decided to participate in Phase II of that process. The Phase II work document is now complete and being distributed and considered by the member agencies. The Policy Steering Committee (PSC), which is comprised of an elected official of each of the 13 member agencies, voted to accept the report on September 26, 2002.

The report answers most of the questions an agency would have in their effort to decide to continue on in the process. Some questions cannot be specifically answered yet, but the report proposes possible alternatives and ranges between which the final decision is likely to fall.

By design the review and decision process has been structured so that the member agencies would provide local public participation as they so choose as they go through their respective processes. City staff has prepared the attached schedule for public involvement. We are recommending four joint work sessions between the IWB and City Council due to the volume of material and the benefit each body would receive by interaction. Press releases, displays, Web pages, CIT and the *CITYSCAPE* all will be used. Our process is scheduled to end February 25, 2003 with a public hearing and a decision by the City Council.

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#### OTHER ALTERNATIVES CONSIDERED

Tigard is also participating in projects with the Joint Water Commission (JWC) which, if feasible, will allow Tigard membership into the JWC and ownership of water rights.

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#### VISION TASK FORCE GOAL AND ACTION COMMITTEE STRATEGY

Urban and Public Services chapter of “Tigard Beyond Tomorrow” has a goal, which states “actively participate in a regional development of drinking water sources”

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#### ATTACHMENT LIST

Attachment 1: Schedule

Attachment 2: Executive Summary

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#### FISCAL NOTES

Acceptance of this plan will not have any fiscal impact this fiscal year.

# **City of Tigard's Long Term Water Supply Options Work Timeline**

Attachment 1

DATE	ITEM	DESCRIPTION	CONTACT
09/26/02	PSC Meeting	Final booklet is presented regarding Bull Run Drinking Water Agency Proposal	Dennis & Sally
09/27/02	Prep for 10-15-02 Council Meeting	Materials that need to be scanned for the Oct. 15 Council Meeting are due by noon	Kathy K.
10/01/02	Prep for 10-15-02 Council Meeting	Materials that are to be included in the packet for the Oct. 15 Council Meeting are due by noon.	Kathy K.
10/04/02	CityScope	Articles for November's CityScope issue are due	Cathy W.
10/15/02	IWB & Council Workshop	Present proposal to IWB and Council - discuss governance and engineering topics	Ed
11/01/02	Prep for 11-19-02 Council Meeting	Materials that need to be scanned for the Oct. 15 Council Meeting are due by noon	Kathy K.
11/05/02	Prep for 11-19-02 Council Meeting	Materials that are to be included in the packet for the Oct. 19 Council Meeting are due by noon.	Kathy K.
11/19/02	IWB & Council Workshop	Continue presentation of proposal to IWB and Council - discuss the topic of finances	Ed, Dennis & Tom
12/05/02	CIT	20 min. presentation of what has been presented to the IWB & Council regarding Tigard's long term water supply options	Sally

**COMMENTS/NOTES:**

# **City of Tigard's Long Term Water Supply Options Work Timeline**

DATE	ITEM	DESCRIPTION	CONTACT
01/03/03	CityScape	Articles for February's CityScape issue are due	Cathy W.
01/07/03	Prep for 1-21-03 Council Meeting	Materials that are to be included in the packet for the Jan 21st Council Meeting are due by noon	Kathy K.
01/21/03	IWB & Council Workshop	Continue presentation of proposal to IWB and Council - Comparison of Options	Ed Cebon
02/04/03	Prep for 2-18-03 Council Meeting	Materials that are to be included in the packet for the Feb 19th Council Meeting are due by noon	Kathy K.
02/06/03	CIT	20 min. presentation of what has been presented to the IWB & Council regarding Tigard's long term water supply options	Sally
02/10/03	Prep for IWB Meeting	Materials that are to be included in the packet for the 2-19-03 IWB meeting are due by noon	Twila
02/11/03	Prep for 02-25-03 Council Meeting	Materials that are to be included in the packet for the 2-25 Council meeting are due by noon	Kathy K.
02/18/03	Final Workshop - City Council/IWB	Final Workshop with IWB and Council - answer remaining questions and/or concerns	Ed and Dennis
02/19/03	IWB Meeting	IWB makes its final recommendation to City Council regarding Tigard's long term water supply options	Ed & Dennis
02/25/03	City Council Meeting	City Council makes a decision regarding Tigard's long term water supply options	Ed & Dennis
03/31/03	DEADLINE		

**COMMENTS/NOTES:**

**IMPLEMENTATION PLAN FOR THE  
FORMATION OF A BULL RUN REGIONAL  
DRINKING WATER AGENCY  
PHASE II**

**SEPTEMBER 2002**

**Prepared By**

Murray, Smith & Associates, Inc.  
121 SW Salmon, Suite 900  
Portland, OR 97204

**In Association With**

CH2M HILL  
825 NE Multnomah, Suite 1300  
Portland, OR 97232

Integrated Utilities Group, Inc.  
811 SW Naito Parkway, Suite 610  
Portland, OR 97204

**Participants' Program Manager**

Jeanne LeJeune Consulting, LLC  
862 NE Market Drive  
Fairview, OR 97024



## **EXECUTIVE SUMMARY**

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### **INTRODUCTION**

#### **General**

This plan is Phase II, the implementation planning phase, of the Regional Drinking Water Supply Initiative for the Portland metropolitan area. This initiative was set in motion in early 2001 by Commissioner Erik Sten, then Commissioner-in-Charge of the Portland Water Bureau. This plan is the continuation of the prior Phase I planning effort completed in December 2001. This Phase II plan provides an in-depth examination of the regional drinking water agency concept, develops more detailed principles of agreement to accomplish the regional objectives of the thirteen participants, and sets out next steps, estimated costs and a schedule to implement a regional drinking water agency.

#### **Regional Drinking Water Supply Initiative**

For over 100 years, the Portland Water Bureau has sold water on a wholesale basis to other communities in the region. Twenty-five year wholesale water supply agreements with nineteen communities are due to expire between 2004 and 2007. Many wholesale contract holders had long expressed an interest in a more substantial role in managing these drinking water resources.

In March 2001, City of Portland Commissioner Erik Sten, then the Commissioner in Charge of the Portland Water Bureau, proposed the formation of a new governmental structure to provide drinking water service for the Portland metropolitan region. The Portland City Council directed Commissioner Sten to work with other elected officials in the region to identify and analyze alternative institutional and governance arrangements for regional water utilities.

In August 2001, those agencies interested in pursuing the regional proposal agreed to jointly fund and research the potential for formation of a regional drinking water supply and transmission agency. There were fourteen agencies participating in Phase I of the regional drinking water supply initiative. The culmination of the Phase I work was the report entitled "Progress Report, Regional Drinking Water Initiative, December 12, 2001."

#### **Joint Funding Agreement for Implementation Plan**

On March 15, 2002, thirteen public agencies entered into a joint funding agreement for the preparation of this Phase II Implementation Plan. Those agencies were the Cities of Beaverton, Gresham, Portland, Tigard and Tualatin, Powell Valley Road Water District, Raleigh Water District, Tualatin Valley Water District, West Slope Water District, Clean Water Services, Sunrise Water Authority, Rockwood Water People's Utility District (Rockwood PUD), and METRO. Figure 1-1 illustrates the water service areas of the participating agencies. The agreement provided for the joint preparation of the implementation plan by the participants' staffs and consultants retained by the participants.

## **Professional Services Agreement**

The participants entered into a professional services agreement with Murray, Smith & Associates, Inc. (MSA) to undertake and complete the work. Key partners teamed with MSA on the project were CH2M HILL and Integrated Utilities Group, Inc.

## **Regional Context**

This regional initiative is an outgrowth and reflection of the regional planning work that has been on-going among Portland metropolitan area water providers since 1987. From 1993 to 1996, a series of studies was conducted that culminated in the development of the Regional Water Supply Plan (RWSP). In 1996, after the RWSP was developed, the Regional Water Providers Consortium was formed by inter-governmental agreement to coordinate the implementation of the RWSP as well as future planning efforts.

## **PLANNING PROCESS**

### **Project Management and Organization**

Two committees were established to guide the development of this plan. These were the Policy Steering Committee (PSC) and the Technical Advisory Committee (TAC).

The PSC consisted of an elected official from each participating agency. The role of the PSC was to identify policy issues that needed administrative and technical analysis. Based on those analyses, the PSC examined various policy alternatives and selected and approved policy recommendations that were included in this plan.

The TAC consisted of administrators and senior officials or staff from each participating agency. The TAC's role was to provide support to the PSC and to manage the planning activities including the work program, schedule and other activities.

Four working groups were also formed. These groups consisted of staff of the participating agencies and a member of the consultant team. The Governance and Legal Working Group was charged with responding to the many governance and legal issues pertaining to the proposed agency. The Finance Working Group was charged with reviewing all financial analyses prepared by the project consultant. The Engineering Working Group was charged with determining what assets comprise the supply system and how the supply system would operate to serve all of the members of the proposed agency. The Public Involvement Working Group was charged with developing a plan and process to inform and receive input from the public on the development of the proposed agency.

## **Planning Documents**

The initial work of the project team was the joint development of four technical memoranda. These memoranda were as follows:

- Technical Memorandum No. 1 – Fundamental Objectives and Criteria and Key Issues Inventory
- Technical Memorandum No. 2 – Supply System Overview and Overall Engineering Issues
- Technical Memorandum No. 3 – Financial
- Technical Memorandum No. 4 – Governance and Legal

The implementation plan was then developed by integrating the information and analyses developed and presented in the four technical memoranda.

## **Objectives and Criteria**

The TAC developed objectives and implementation plan criteria for the purpose of providing a framework to conduct and guide the project work. The TAC considered the objectives and criteria of the previous Phase I work effort along with participants' comments. Under the revised criteria, the scope of the proposed new agency was narrowed from that suggested in Phase I, which was a full regional agency, to one that would utilize only the Bull Run Watershed and the Columbia South Shore Wellfield as its sources. The criteria also named the proposed new agency as the proposed Bull Run Regional Drinking Water Agency (BRRDWA). The PSC approved the objectives and criteria as proposed by the TAC.

## **Key Issues**

In order to guide the project work, key issues were identified for examination and assessment. A key issues inventory was developed. The work effort focused on the key policy and technical issues that might have a significant bearing on the participants' decisions to join or not join in on the regionalization concept.

## **Public Participation**

A Public Information and Involvement Plan (PI&I Plan) was developed, approved by the PSC, and implemented as part of the project. This plan covered the period of the Phase II work, March 2002 through September 2002. There was significant public involvement during the project.

## **PROPOSED REGIONAL SYSTEM**

### **Proposed Regional Drinking Water Supply System**

The TAC proposed that the regional supply system be comprised of the Portland Water Bureau's Bull Run system, the Columbia South Shore Wellfield system, the Powell Butte

Reservoir and the Washington County Supply Line (WCSL) system, which is jointly owned by the Cities of Portland and Tualatin, the Tualatin Valley Water District and Raleigh Water District. The PSC adopted the TAC's recommendation.

Figure 3-1 is a perspective view of the proposed regional drinking water supply system. The figure also illustrates the general location of the participants in the project. Figure 3-2 is a schematic of the proposed regional water supply system. Figure 3-3 is a plan view of the proposed regional system.

The Bull Run system currently has a peak day supply capacity of approximately 210 million gallons per day (mgd). The capacity of the Columbia South Shore Wellfield depends on how long it is operated, among other variables. The current short-term capacity of the wellfield is approximately 90 mgd, assuming a 30-day operating period. The wellfield capacity is approximately 75 mgd, assuming a 120-day operating period. For the purposes of this study the capacity of the wellfield is identified as 90 mgd. Accordingly, the total current peak-day supply capacity of the proposed regional drinking water supply system is estimated to be approximately 300 mgd assuming use of the Columbia South Shore Wellfield.

### **Asset List for Proposed Supply System**

The Portland Water Bureau's fixed asset records were reviewed to identify those assets that were proposed to be part of the regional supply system. That list was then compiled and used by the Finance Working Group and financial consultant in developing the system valuation information.

### **Water Demands and Capacity Nominations**

Water demand information and water supply capacity nomination information was developed for use in the analyses performed under this plan. The participants provided their total system demand forecasts (average day, peak-season, and peak-day) for the years 2005, 2010 and 2020. The participants also provided estimates (capacity nominations) of the supply they might require from the proposed regional supply system for those same three demand types and time periods. The water demand and capacity nomination information was used by the Financial Working Group and the financial consultant in the financial element of the project.

### **Proposed System Capital Improvements Program**

The Portland Water Bureau has a capital improvements program (CIP) for those facilities that are proposed to become part of the regional water supply system. The TAC carefully considered the Bureau's CIP and adopted a major portion of it for inclusion in this plan. Table ES-1 below summarizes the major capital improvement projects anticipated for the proposed regional water supply system and project timing needs.

**Table ES-1**  
**Preliminary Capital Improvements Summary**  
**Proposed Bull Run Regional Drinking Water Agency**

Near-Term (3 to 5 years)	Estimated Project Cost (Year 2002 dollars)
• Groundwater Improvements	\$22,700,000
• Conduit Vulnerability Reduction Improvements	15,500,000
• Repair and Replacement Program	25,000,000
• System Meter Improvements	2,000,000
<b>Total - Near-Term Improvements</b>	<b>\$65,200,000</b>
Medium Term (5 to 10 years)	
• Conduit Vulnerability Reduction Improvements	\$22,200,000
• Powell Butte Reservoir No. 2	57,200,000
• Water Treatment Plant	202,000,000
• Conduit No. 5, Gresham Section	21,300,000
• Repair and Replacement Program	25,000,000
• Endangered Species Act Impacts	15,000,000
<b>Total - Medium Term Improvements</b>	<b>\$342,700,000</b>
<b>Total Improvement Costs</b>	<b>\$407,900,000</b>

The TAC excluded three projects from the Bureau's current CIP. These were the Washington County Supply Line No. 2, the Clackamas Transmission Main, and Dam Raises at Bull Run Reservoir Nos. 1 and 2. The TAC determined that there is enough uncertainty at this time regarding the future need for and the timing of these projects that they would be best considered by the new Agency Board as it develops its capital improvements program.

### **Operational and Service Considerations**

The proposed regional drinking water supply system can provide water supply to all of the project participants either directly, through wheeling arrangements and connections, or ultimately through construction of new transmission facilities.

## **Existing Intergovernmental Agreements**

Currently and historically, there has been a high degree of cooperation among the water providers in the Portland metropolitan region. Over sixteen existing water supply and mutual aid agreements were identified during the study in addition to the nineteen wholesale water supply contracts between the Portland Water Bureau and wholesale water users. All of these agreements need to be considered in the development of a regional agency.

## **FINANCIAL EVALUATION AND ANALYSIS**

### **Forms of Ownership**

There are several forms of ownership that can be considered with respect to the regional proposition. These include:

- Having an agency's name on the deed of a facility
- Having a perpetual right to the benefits of a facility
- Having a perpetual right to the benefits of a facility with the name being added to the deed at a later time

This study has considered these ownership forms and assumes ownership along the traditional lines of having complete legal control of the facilities where assets will be transferred from the current owners to the new Agency.

### **Benefits of Ownership**

The reasons that a water provider might want to own water works facilities versus being a wholesale purchaser of water generally include the following:

- Ownership assures a long-term source of supply.
- Ownership provides the ability to participate in decisions on future capital improvements and system expansion.
- Ownership may allow the funding of growth using system development charges.
- Ownership may, as part of a regional approach, achieve economies of scale that reduce the overall cost of providing water.

### **Risks of Ownership**

Ownership of a water utility does have inherent risks that typically include the following:

- Interest rate risk
- Business risk
- Financial risk
- Liquidity risk
- Physical risk
- Environmental risks

- Liability risks

## **Ownership Model**

The Financial Working Group considered several ownership models for the new Agency and recommended a model described as the “system capacity” method. Under this method of ownership, the participating agencies would each have an undivided interest in the Agency that is represented by the peak day demand capacity that each participant chooses to purchase.

## **Entry and Exit Terms**

Participation as an owner in the contemplated Agency will demand a high-level, long-term commitment to participate in the Agency. Significant adverse impact could occur to the Agency if an owner were to depart the Agency. In Technical Memorandum No. 4 and the Principles of Agreement, provisions to address entry and exit from the proposed Agency are discussed. The proposed exit terms are intended to make leaving the Agency difficult and furthermore to mitigate the adverse impact on the Agency of an owner leaving the Agency.

## **Participation in the Proposed Agency**

The cost to a participant to buy into the Agency depends upon the number of other agencies that choose to also become owners. The number of agencies that choose to become owners is likely to also depend upon the cost to buy into the Agency and to fund future system improvements. In order to provide meaningful information from this circular dilemma, three Agency participation scenarios were developed as follows:

- Narrow Agency (5 owners) – Portland, Gresham and owners of the Washington County Supply Line system (Tualatin Valley Water District, Raleigh Water District, and the City of Tualatin)
- Medium Agency (9 owners) – Portland and its current wholesale customers that participated in this study
- Broad Agency (12 owners) – All of the agencies that participated in this study excluding Metro

Table ES-2 presents a matrix showing the three participation scenarios.

The matrix indicates if a participant is assumed to be an owner or remains as a wholesale purchaser. Financial information, with respect to initial costs to buy into the Agency as well as the costs to each owner of future facilities, is presented under the three participation scenarios.

**Table ES-2**  
**Agency Participation Matrix**  
**Proposed Bull Run Regional Drinking Water Agency**

Participant	Narrow Agency	Medium Agency	Broad Agency
City of Beaverton	Wholesale	Wholesale	Owner
Clean Water Services	Wholesale	Wholesale	Owner
City of Gresham	Owner	Owner	Owner
METRO			
City of Portland	Owner	Owner	Owner
Powell Valley Road Water District	Wholesale	Owner	Owner
Raleigh Water District	Owner	Owner	Owner
Rockwood Water PUD	Wholesale	Owner	Owner
Sunrise Water Authority	Wholesale	Wholesale	Owner
City of Tigard	Wholesale	Owner	Owner
City of Tualatin	Owner	Owner	Owner
Tualatin Valley Water District	Owner	Owner	Owner
West Slope Water District	Wholesale	Owner	Owner

Table ES-3 presents the capacity nominations for each provider that is assumed to be an owner under each of the participation scenarios. No nominations are included for utilities that are assumed not to be owners. Each provider's nominations were used to estimate its percentage of ownership in the proposed Agency.

**Table ES-3**  
**Estimated Capacity Nominations of Proposed Owners**  
**Proposed Bull Run Regional Drinking Water Agency**

Participant	2005			2010			2020		
	Narrow	Medium	Broad	Narrow	Medium	Broad	Narrow	Medium	Broad
Beaverton	0.00	0.00	7.00	0.00	0.00	7.00	0.00	0.00	7.00
CWS	0.00	0.00	6.75	0.00	0.00	13.50	0.00	0.00	20.10
Gresham	13.95	13.95	13.95	16.09	16.09	16.09	20.37	20.37	20.37
Metro	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Portland	145.00	145.00	145.00	145.00	145.00	145.00	145.00	145.00	145.00
Powell Valley	0.00	1.00	5.00	0.00	1.00	5.00	0.00	1.00	5.00
Raleigh	1.53	1.53	1.53	1.59	1.59	1.59	1.71	1.71	1.71
Rockwood	0.00	6.50	13.00	0.00	6.57	13.13	0.00	6.70	13.40
Sunrise	0.00	0.00	5.00	0.00	0.00	10.00	0.00	0.00	20.00
Tigard	0.00	9.00	15.00	0.00	9.35	17.00	0.00	9.00	18.00
Tualatin	14.00	14.00	14.00	19.00	19.00	19.00	20.00	20.00	20.00
TVWD	44.50	44.50	44.50	50.80	50.80	50.80	65.70	65.70	65.70
West Slope	0.00	3.73	3.73	0.00	3.84	3.84	0.00	3.84	3.84
Totals	218.98	239.21	274.46	232.48	253.24	301.95	252.78	273.32	340.12

Note: Capacity nominations are in millions of gallons per day (mgd).



## **Financial Separations for Differentiated Services**

The proposed Agency could incorporate two mechanisms to assure that there is no subsidization occurring within the organization between the regional water supply function and other functions that the Agency might conduct such as operating and maintaining distribution systems, joint billing, joint purchasing, operating a water quality laboratory, and other water-related services. These two mechanisms could be creation of separate enterprise funds or establishment of a cost-of-service framework. These two mechanisms would provide the desired “financial firewall.”

## **Estimated Market Value of Facilities**

Associated with the formation of the Agency is the need for the participants to agree on the value of the assets to be transferred into the Agency. These assets would be the regional water supply and transmission system previously described above. Four agencies would contribute assets to the Agency – the City of Portland, the Tualatin Valley Water District, the City of Tualatin and the Raleigh Water District.

Four industry standard approaches to estimating the market value of the facilities were used. These approaches are as follows:

- Book Value
- Original Cost
- Replacement Cost New Less Depreciation
- Replacement Cost New

Book value is the traditional accounting definition of the value of a utility. Original cost is the actual cost to place an asset in service without regard to depreciation. Replacement cost new less depreciation (RCNLD) is a common valuation technique for utilities and is often used when estimating fair market values for condemnation proceedings. Replacement cost new is the same as RCNLD except that accumulated depreciation is not deducted from the estimated market value.

Table ES-4 presents the estimated market value of the Portland Water Bureau’s Bull Run and Columbia South Shore Wellfield and the Washington County Supply Line system assets under the four valuation methods and under the three participation scenarios. The table also indicates the values per million gallons per day (mgd) using year 2010 capacity nominations.

## **Estimated Buy-In Cost to Potential Owners**

The estimated buy-in costs for each of the potential owners of the proposed Agency were calculated utilizing the estimates of market value of existing facilities, the capacity nominations, the three participation scenarios, and the proposed capital improvements program as shown previously. Buy-in costs were also calculated considering credits to those participants who would contribute assets. Due to the extensive and detailed nature of these

**Table ES-4**  
**Estimated Market Value of Regional System Assets**  
**Proposed Bull Run Regional Drinking Water Agency**

Valuation Technique	Value	Cost per MGD		
		Narrow Agency	Medium Agency	Broad Agency
Book Value	\$106,000,843	\$455,957	\$418,579	\$353,985
Original Cost	\$173,174,259	\$744,900	\$683,835	\$578,308
Replacement Cost New Less Depreciation	\$179,711,929	\$773,021	\$709,651	\$600,140
Replacement Cost New	\$553,451,541	\$2,380,642	\$2,185,482	\$1,848,227
Capacity Nominations in 2010 (mgd)		232.48	253.24	299.45

buy-in calculations, the results are included in Technical Memorandum No. 3 in Appendix F and are not repeated here.

The Portland Water Bureau proposed another method to estimate the market value of its facilities. This method was identified as “Replacement Cost New Less Depreciation (Modified).” This method is the same as RCNLD except that the facility lives, as they appear in the City’s current asset records, were modified to reflect a “true life” of those assets. This preliminary analysis by the Bureau resulted in a valuation of approximately \$300 million for the Bull Run and Columbia South Shore Wellfield systems.

### **Cost-of-Service Framework**

A proposed cost-of-service framework for the new Agency was developed and recommended. This framework was intended to achieve the following objectives:

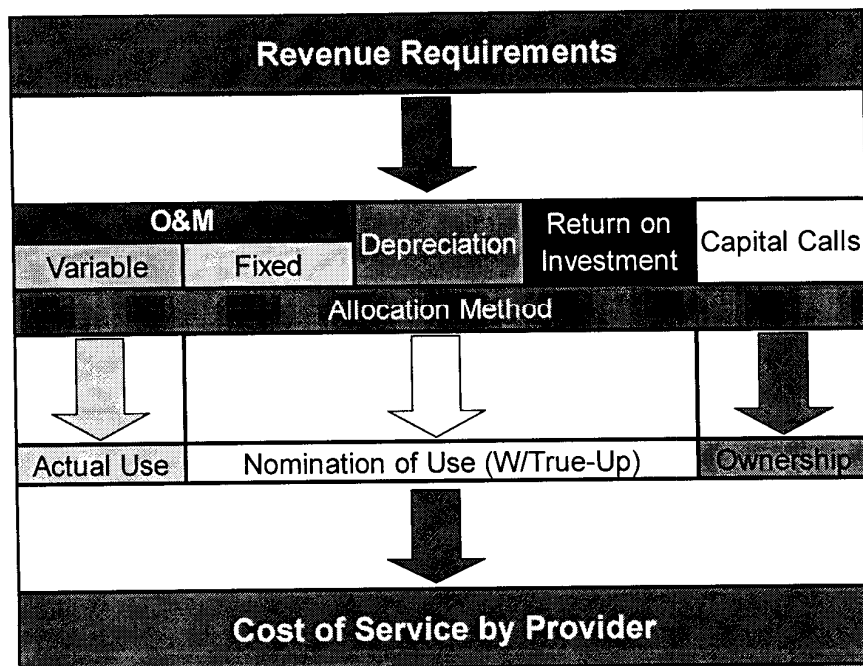
- Equity – the system of charges should reflect the cost of serving each member of the proposed Agency
- Consistency with other principles – the Financial Working Group and other working groups developed other principles that were incorporated in the cost-of-service methodology

The elements of the cost-of-service framework include the following:

- Revenue requirements
- Determination of customer characteristics
- Allocation of costs
- Rate design

Figure ES-1 presents a framework overview of the cost-of-service approach recommended for the new Agency.

**Figure ES-1**  
**Proposed Cost-of-Service Framework Overview**  
**Proposed Bull Run Regional Drinking Water Agency**



### Estimated Rates for Owners and Non-Owners

Estimates of water rates for the potential members of the new Agency as well as the Portland Water Bureau's current customers were calculated and presented under the three participation scenarios using a value of facilities equal to the replacement cost less depreciation (RCNLD) approach described previously. Estimated rates are presented for the years 2005, 2020, and 2020. The rates are expressed in cost per hundred cubic feet (CCF) of water delivered and do not include buy-in costs to the Agency. Due to the extensive and detailed nature of these rate calculations, they are shown in Technical Memorandum No. 3 and are not repeated here. The total estimated cost for each participant to be an owner in the Agency consists of two additive cost factors, the buy-in costs to the Agency plus the cost of water.

### Strategies for Existing Debt

The City of Portland currently has approximately \$168 million of outstanding debt attributed to the Portland Water Bureau. Because of restrictions in the bond covenants, Portland may be required to repay some of this debt to form the new Agency. The bond types and principal amounts are summarized in Table ES-5.

**Table ES-5**  
**City of Portland Bonded Debt Summary**  
**Proposed Bull Run Regional Drinking Water Agency**

<b>Bond Type</b>	<b>Outstanding Principal Attributable to Portland Water Bureau</b>	<b>Estimated Additional Cost of Repayment</b>
Charter General Obligation Bonds	\$30.1 million	\$1 million
Revenue Bonds	\$96.9 million	\$8 million
Pension Obligation Bonds	\$41 million*	\$9 million

The City's revenue bond covenants allow the sale of assets under certain conditions. A group of bond experts was assembled to review the City's options in meeting the requirements of its bond covenants. Four options were identified to meet those requirements and they are as follows:

- Complete repayment
- Certificate from a qualified consultant
- Long-term contract
- Repayment of revenue bonds only

There are costs associated with bond repayment. These estimated costs which are shown in Table ES-5 are in addition to the cost to repay the principal balance on the outstanding debt. These estimates are very sensitive to interest rates and other variables and actual costs are likely to be somewhat different than the current estimates.

### **Strategies for Future Debt**

The Agency's strategy on issuing future debt needs to be considered before the Agency is formed due to the long-term nature of debt obligations. The question that needs to be answered early on is which agency or agencies should issue the debt that capitalizes the Agency, more precisely should the individual member agencies separately issue the debt or should the regional Agency itself issue the debt. Both options are available to the Agency and its members and each has advantages and disadvantages.

### **Optional Financing of Buy-In**

It is expected that the Agency would be formed primarily from the facilities currently owned by the City of Portland. The Portland Water Bureau has offered to finance some of the buy-in costs of participants into the new Agency.

## **Paying for Growth**

The Financial Working Group identified four methods that the Agency could adopt so that “growth pays for growth.” Further analysis would be needed prior to formation of the Agency to determine the best method. These methods are:

- Tiered rate design
- Capital growth charge
- Regional systems development charge
- Direct cost assessment

## **GOVERNANCE AND LEGAL CONSIDERATIONS**

### **Governance Alternatives**

Governance alternatives were identified that met the project criteria which specified that the proposed Agency would be created under existing Oregon law. The five alternatives that met that specific condition were:

- Intergovernmental Agreement – Oregon Revised Statutes (ORS) 190
- People’s Utility District - ORS 261
- Domestic Water Supply District - ORS 264
- Regional Service District (Metro) - ORS 268
- Joint Water Authority - ORS 450

Upon review and consideration of the information on the five alternatives, the TAC recommended to the PSC that the Intergovernmental Agreement (ORS 190) alternative be selected as the governance method for the proposed Agency. The PSC adopted that recommendation.

### **Proposed Principles of Agreement**

The Governance and Legal Working Group developed proposed principles of agreement that would guide the formation of the proposed Agency. A summary of the proposed principles of agreement is included in Section 5. The detailed proposed principles of agreement are included within Technical Memorandum No. 4. These principles are the foundation on which an intergovernmental agreement between the participating parties would be developed. Essentially, the principles are the policy statements upon which the new Agency would be formed.

### **Unresolved Items**

The proposed principles of agreement as presently drafted contain unresolved items of a significant nature. Valuation of contributed assets and the method of voting are key unresolved issues. A summary of unresolved items is included in Section 5.

## KEY FINDINGS AND CONCLUSIONS

Through the work on this phase of the project, the concept of the proposed Bull Run Regional Drinking Water Agency (BRRDWA) was further developed and was established as follows:

- The new Agency will own, operate and maintain a regional water supply system comprised of the Bull Run Watershed (Bull Run) and Columbia South Shore Wellfield sources and the Washington County Supply Line.
- The Agency will be constituted under an ORS 190 intergovernmental agreement.
- The Portland Water Bureau will contribute its supply system assets consisting of the Bull Run and Columbia South Shore Wellfield systems to the Agency and receive credit for the value of those facilities.
- The Portland Water Bureau will enter into an agreement allowing the Agency's use of its water rights related to the Bull Run and Columbia South Shore Wellfield supplies.
- Participating agencies that own the Washington County Supply Line (Portland Water Bureau, Tualatin Valley Water District, City of Tualatin and Raleigh Water District) will contribute this system to the Agency and will receive credit for the value of this facility.
- The Agency will undertake supply system improvement projects, which may consist of rehabilitation, repair and/or replacement of existing supply system facilities as well as construction of new supply system facilities.
- The staff of the new Agency will consist primarily of the staff of the Portland Water Bureau, which will be transferred to the new Agency.
- The Agency may assume the wholesale water sales contracts of the Portland Water Bureau.
- The Agency will have the authority to provide any water related services, including distribution, as agreed to by individual members of the Agency.
- The Portland Water Bureau will retain ownership of its distribution system, which will be managed, operated and maintained by the Agency.

The following are key findings and conclusions regarding the proposed Agency concept:

- The work completed under this phase of the project, Phase II, has developed substantial additional detailed information for regionalizing the Bull Run and Columbia South Shore Wellfield water supply sources.

- The formation of a regional drinking water supply system, the proposed Bull Run Regional Drinking Water Agency, is feasible and can be implemented considering the engineering, financial, legal and governance aspects of the proposed Agency concept.
- Key issues as identified by the participants and the public were addressed as part of the project.
- There were no apparent “fatal flaws” discovered that would preclude the ability of the participants to form the new Agency.
- The proposed regional system will consist of the Bull Run and Columbia South Shore Wellfield sources and the Washington County Supply Line.
- The proposed Agency will be formed under an ORS 190 intergovernmental agreement.
- The engineering analyses provided information on the facilities comprising the regional system, the capacity of that system, the anticipated water demands on that system, and the anticipated capital improvements required in the future.
- The financial analyses provided information on the estimated range of values of facilities to be purchased and transferred, the estimated buy-in costs for potential Agency owners, estimated water rates for potential Agency owners and non-owners, and strategies for debt financing, financing of buy-in costs, and paying for growth.
- The legal and governance analyses addressed the key issues of the project related to those aspects of the proposed Agency including the form of the Agency and water rights.
- Detailed “Principles of Agreement” were developed which document the recommendations of the TAC and the PSC throughout the course of the project. This is the basic document upon which the full elected bodies of the participating agencies will make decisions regarding future participation.
- The proposed Agency concept meets Criteria Nos. 1 through 15 as established by the PSC and as listed in Section 2 and Appendix D.
- With respect to Criteria No. 16, which says, “Creation of the proposed Bull Run Regional Drinking Water Agency will not result in increased overall costs for water by virtue of combining infrastructure and operations,” an analysis of this issue was not completed as part of this study.
- The project included an extensive public involvement program during the study period and significant public input was received throughout the project.

- Major and significant actions need to be taken by the participants to undertake and complete the formation of the proposed Agency. Among the key actions is determining the value of facilities and the purchase terms for those facilities.
- This report serves as the “Decision Document” for use in further consideration by each of the participants as to their interest in proceeding with the project.

## **IMPLEMENTATION PLAN**

### **General**

A comprehensive plan to implement the formation of a new Agency is presented in Section 7. This implementation plan includes recommended actions with dates and schedules, and a general outline of the scope of a recommended Phase III work program.

### **Recommended Actions and Preliminary Phase III Schedule**

The unprecedented governmental transition contemplated through the formation of this Agency requires the successful completion of a myriad of necessary tasks. A target date of July 1, 2004 has been established for the Agency to commence operations. To accomplish this, a number of actions and critical activities must be completed. Figure 7-1 illustrates a list of recommended project actions along with target dates, durations and milestones for those actions.

With respect to Criteria No. 16, an analysis was not performed in this study addressing this criteria. Criteria No. 16 says, “Creation of the proposed Bull Run Regional Drinking Water Agency will not result in increased overall costs for water by virtue of combining infrastructure and operations.” A task is included in the Phase III schedule for an analysis to address this issue if some or all of the participants desire to do so.

### **Public Involvement**

During the period of October 2002 through February 2003, the thirteen participating agencies’ full boards, councils and commissions will hold briefings, hearings and work sessions, take public comment and vote on whether or not to participate further in this regional water supply initiative. Each of the participating agencies will use their own public information and education methods and resources to reach out to and involve local citizens, media contacts and interested parties.

### **Proposed Phase III Work Program**

In order to successfully form the proposed Agency, it is anticipated that four major tasks must be accomplished. These tasks are:

- Preparation of legal agreements



- Preparation of a business plan for the new Agency, including a public information and public involvement element
- Preparation of a transition plan between the Portland Water Bureau and the new Agency
- Transfer of assets

A general description of each of these four major tasks follows:

Legal Agreements: In order to implement the formation of the new Agency, new legal agreements and amendments to existing legal agreements will need to be drafted, negotiated and executed.

Business Plan for New Agency: The formation of the new regional drinking water Agency will require the preparation of a detailed business plan. This plan would provide comprehensive and strategic direction for the organizational and operational structure of the Agency. The goal of this effort is to structure an efficient and effective new Agency.

Transition Plan: A transition plan needs to be developed to provide for the orderly and timely transfer of the ownership, management, operation and maintenance of the Bull Run and Columbia South Shore Wellfield water supply systems from the Portland Water Bureau to the new Agency. In addition, the transition plan would need to incorporate the management, operations and maintenance of Portland's water distribution system which will be performed by the new Agency.

Transfer of Assets: The values to be assigned to the transferred assets and the terms of their acquisition will need to be established by the parties that form the new Agency. The process of transferring assets would involve several steps including completing detailed asset descriptions, conducting a due diligence process, and agreeing on the asset values and terms of purchase.

Phase III work efforts must be performed concurrently and approached in a comprehensive and integrated way in order to complete the work, form the Agency and commence Agency transition operations by July 1, 2004.

The budget for the Phase III work will depend upon many factors including the extent and complexity of the work to be accomplished, the number of agencies participating, the schedule for the work, how the work will be accomplished, and what participating agency staff and resources would be utilized. The final work program for Phase III will need to be developed jointly by those participants that choose to proceed with that phase of the regional initiative. The work program will include a scope of work, schedule and budget.

With respect to the budget for Phase III, it is anticipated that substantial portions of the work effort would be completed with participant staff and other internal participant resources. The allocation of costs among the participants in the Phase III effort will also need to be determined. In Phase II, the costs of the project were shared equally among the thirteen participants. For Phase III, it is anticipated that the costs would be allocated on a different

basis. The allocation might consider, for example, the size of the participants, the relative responsibility for various aspects of the scope of work, the available participant staff and resources and other factors.

Upon agreement on the scope of work, schedule, budget and cost allocation, a joint funding agreement between the participants would be prepared and executed. Considering the proposed Phase III work program as developed above and assuming a similar approach to accomplishing the work as in Phase II utilizing a combination of participant and outside resources, it is recommended that a Phase III budget in the range of \$500,000 to \$800,000 be considered.

## **Summary**

Proceeding with the implementation of the formation of the Bull Run Regional Drinking Water Agency will entail much discussion and review. Following consensus to proceed, significant work efforts must be undertaken and completed including the preparation of legal documents, a business plan and a transition plan, and the final transfer of assets.

CITY OF TIGARD, OREGON  
COUNCIL AGENDA ITEM SUMMARY

ISSUE/AGENDA TITLE Communication Plan Update

PREPARED BY: Elizabeth Newton DEPT HEAD OK \_\_\_\_\_ CITY MGR OK \_\_\_\_\_

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ISSUE BEFORE THE COUNCIL

An update on the city's communication efforts.

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STAFF RECOMMENDATION

1. Provide direction on discontinuing the CIT program in its present form.
2. Provide direction on conducting an evaluation of the effectiveness of the *Cityscape*.

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INFORMATION SUMMARY

This is an update on the city's major communication efforts: the CITs, Communication Plan, neighborhood meetings, press releases, Community Connectors, cable television, *Cityscape*, the Website, the Goal Guide, and the TVTV Bulletin Board.

Staff recommends that the CIT meetings in their present format be discontinued. As the attached memo explains, while there is an audience for cable programming, attendance at CIT meetings has declined. In place of the CIT meetings, staff proposes educational and informational programs on city issues and programs be produced to air. Other tools for involving citizens such as Town Hall meetings, the Website, and specialized task forces will be emphasized.

Staff also recommends that staff undertake an evaluation of the effectiveness of the current method for distribution of the *Cityscape* newsletter. There may be more cost effective ways to get the information out.

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OTHER ALTERNATIVES CONSIDERED

1. Continue the CIT program as currently structured.
2. Continue the current publication and distribution of the *Cityscape*.

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VISION TASK FORCE GOAL AND ACTION COMMITTEE STRATEGY

Community Character and Quality of Life Goal 1, Strategy 1, "Improve communication about all aspects of the city's business."

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ATTACHMENT LIST

1. Memo from Liz Newton dated October 2, 2002.
2. Neighborhood meeting process packet.

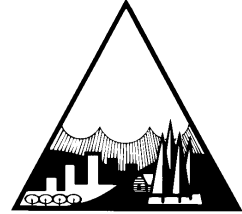
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FISCAL NOTES

None

**MEMORANDUM**  
**CITY OF TIGARD, OREGON**

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**TO:** Honorable Mayor and City Council Members

**FROM:** Liz Newton, Assistant to the City Manager

**DATE:** October 8, 2002

**SUBJECT:** Update on City's Communication Efforts

This memo provides an update on the status of many of the tools used to communicate with citizens and promote their involvement.

**CITs**

Monthly meetings have been held since the last update to Council in April except for the July 3 meeting, which was canceled. The June, August, and September meetings were taped in the morning to air during the regular 7:00 p.m. time slot on the first Thursday of the month.

Attendance at CIT meetings during the summer months averaged about six citizens per meeting. This is fewer than attended evening meetings the previous six months. It was anticipated that attendance would be somewhat lower, in fact, four of the regular CIT attendees had informed me they would be unable to attend morning meetings, but expected to attend again once the meetings shifted back to evenings.

The CIT meetings do have regulars that attend with a few people attending just for a specific agenda topic. Last month, two new residents attended and were complimentary of the information presented but did not participate in the discussion.

The recent Bull Mountain annexation survey asked respondents how they generally learn what's going on in local government. Multiple responses were allowed and 3% of Tigard residents named public access television as at least one of their sources. This scientifically valid survey used registered voters as the source for participants. There are currently 22,035 registered voters in the city. Three percent is an estimated 661 that watch cable programming to get information on local issues. This doesn't count those that aren't registered to vote that may watch cable. Cable casting information on city issues, programs and projects allows the city to reach far more than are able or willing to attend a CIT meeting.

We plan to hold CIT meetings in the evening in October, November, December and January and air them live. This will accommodate the 2002-03 Capital Improvement Program public involvement process.

Beginning in February 2003, I recommend we discontinue the CIT meetings in their present format. I recommend that we focus on producing monthly informational programming to air in the CIT time slot. These programs could be taped during the day, include announcements of upcoming events and status reports but the bulk of the program would be devoted to educating and informing citizens about city programs, projects, and issues.

The “tape to air” format would allow breaks in production to accommodate changes in format (from one presenter to an interview) and media (PowerPoint, video, charts and graphs).

Obviously, these productions would be open to the public but the emphasis would shift away from public participation at these meetings to education and information. I recommend that the public continue to have access to an e-mail address to comment or provide suggestions for programs.

The CIT meetings are just one tool for involving citizens. Participation on topics could be achieved using other tools—Town Hall meetings on specific issues, the Website, special task forces, to name a few. Recent attendance at CIT meetings indicates that citizens probably don’t see CIT meetings as the primary citizen involvement tool.

If Council concurs with the recommendation to discontinue the present CIT format, I propose that change be presented at the November CIT meeting as part of an overview of the city’s citizen involvement and communication program.

### **Communication Plan**

The department communicators met on June 10, August 5, and October 7. An update of the Communications Plan is still in process. The last new section to be added on how to use TVTV’s Bulletin Board is waiting for the final details to be worked out so that information for the Bulletin Board can be transmitted to TVTV electronically. The department communicators discussed the proposed change to the CIT format and concurred that the emphasis on public education and information might be a better use of resources. At each meeting, the communicators share successes and use the group as a resource for communications challenges.

### **Neighborhood Meetings**

Since the last communication update to Council, the Community Development Department has revised the information that is distributed to affected property owners about the land use process (copy attached). Community Development staff will conduct an annual review of the process, and recommend and implement changes as appropriate.

## **Press Releases**

We continue to fax at least one press release per week to newspapers regarding a current issue, event, or program. An average of nearly 89% were printed each month from April through July, up from the 77% last reported to Council. The Times prints nearly all of the releases submitted. Space limitations are cited as the primary reason releases are not printed. In some cases too, information in press releases submitted on library programs are combined into one story.

## **Community Connectors**

The regular communications continue. No new connectors were added during the summer but one homeowners association and one individual contacted me about the program. A brochure and sample communication has been sent to those individuals and I will follow-up.

In the Bull Mountain annexation survey it was interesting to note that when asked how they generally learn what's going on in local government, 20% of Tigard residents responded that word-of-mouth was at least one of the ways. As a representative sample of 22,035 registered voters that represents 4,407 people.

The Community Connector program is designed to provide accurate, timely information that connectors can share with neighbors or associates. A higher priority should be given to enlisting more connectors to serve as liaisons between the city and the neighborhoods. I will develop a list and will contact one person a week to start building our connections.

## **Cable Television**

Chris Myers and Curtis Young of the network services staff are now both certified producer/directors as well as camera operators. City staff and trained volunteers are now producing City Council meetings, CIT, and Hearings Officer without assistance from TVTV. During the next year, staff would like to add the Planning Commission and one Municipal Court session per month to the regular programming. With staff trained to produce and direct, we will also shift the focus to producing and airing more special programs.

## **Cityscape**

The *Cityscape* format was revised with the June 2002 issue. The Bull Mountain annexation survey data reflects that 21% of registered voters use the *Cityscape* as a way of learning about what's going on in local government. Of 22,035 registered voters, that's 4,627 people. Staff recommends that we evaluate the mission, cost, and other options for distributing the newsletter information.

## **Website**

Use of the city's website has increased in the last 6 months from an average of 732 visits per day in March to an average of 864 visits per day in September. The city's job posting section is the most heavily accessed section of the site. The library and police pages are also popular.

**Goal Guide**

The Spring 2002 Goal Guide featured parks. The fall issue will feature transportation and will be issued at the end of November. Staff will promote the Goal Guide as a way for citizens to learn about the progress on Council Goals, will post it on the Website, and will monitor the use to ascertain its effectiveness.

**Bulletin Board**

TVTV has installed and is using the new Bulletin Board software so cable viewers should notice some changes to the Bulletin Board. City staff is working with TVTV to incorporate more graphics including photos and eventually video and more information on Tigard events. Ultimately, staff will transmit information for the TVTV Bulletin Board electronically.

## **SAMPLE NOTICE CONCERNING NEIGHBORHOOD MEETING**

(Date of mailing)

NAME AND ADDRESS OF PROPERTY }  
OWNER WITHIN 500 FEET, OR IF }  
RESIDENT, USE "RESIDENT AND }  
PROPERTY ADDRESS }

RE: (Application Name)

Dear Interested Party:

(I/my/company name) (am/is) the (owner/representing the owner)  
of the property located at (give address if available or a general description of the location,  
tax map(s) and lot(s)). (I/we) are considering proposing a (describe the proposal, such  
as: conditional use, site development review, subdivision, etc.) at this location.

Prior to applying to the City of Tigard for the necessary permits, I would like to discuss the proposal in more detail with the surrounding property owners and residents. You are invited to attend a meeting on:

(Day, Month, Date, Year)

(Location)

(Address)

(Time...this should be an evening meeting  
and located somewhere in the CIT, as  
close to the neighborhood as possible)

Please notice this will be an informational meeting on preliminary plans. These plans may be altered prior to the submittal of the application to the City.

I look forward to more specifically discussing the proposal with you. Please call me at (phone number where you can be reached) if you have any questions.

Sincerely,

(Your name)  
(Your title, if applicable)



# CITY OF TIGARD NEIGHBORHOOD MEETING PROCESS

## NEIGHBORHOOD MEETING/NOTIFICATION IS REQUIRED FOR THE FOLLOWING APPLICATIONS:

- ◆ Comprehensive Plan Amendment
- ◆ Zone Change
- ◆ Subdivision
- ◆ Sensitive Land Review
- ◆ Conditional Use
- ◆ Site Development Review



1. **Applicant makes arrangements for the neighborhood meeting**
  - ◆ Applicants' choice of date (using staff guidelines below).
  - ◆ Applicant schedules a meeting facility. The meeting should be held in the evening and be located somewhere in the CIT area, as close to the neighborhood as possible.
2. **Applicant prepares a letter regarding the upcoming meeting to be held with the neighborhood (see example)**
  - ◆ Letter shall briefly describe the proposed development and location, and set the date, time and place for the meeting.
  - ◆ NOTE: Meeting date is to be held within 2-4 weeks of the date that the letter is mailed.
  - ◆ Two (2) weeks minimum notice must be provided to the neighborhood property owners within 500 feet of the subject properties, the Citizen Involvement Team (CIT) contacts, and the City of Tigard Planning Division.
3. **Applicant mails letter of neighborhood meeting to all affected parties and includes "Frequently Asked Neighborhood Questions" with the letter, and on the same day, posts notice of the proposed project on the site**
  - ◆ Applicant acquires list of affected property owners and CIT contacts from the City of Tigard Planning Division and mails to all parties **INCLUDING THE CITY OF TIGARD PLANNING DIVISION.**
  - ◆ Sign must be posted at a location easily observable from a public right-of-way.
  - ◆ Sign shall state that the site may be under consideration for a land use application and include a phone number where the applicant can be reached for additional information or comments.
4. **Applicant prepares affidavit of mailing/posting on the form that was provided by the City of Tigard, to the applicant at the pre-application conference**
5. **Applicant holds meeting for neighborhood as scheduled**
  - ◆ Applicant reads the required "Statement of Purpose" letter to attendees.
  - ◆ Applicant presents the proposal, including known City requirements, and answers any questions.
  - ◆ Applicant makes note (sign-up sheets) of the names and addresses of all individuals who speak at the meeting and provides documentation to the City of their comments, concerns or issues.
6. **Applicant modifies preliminary proposal (if desired) following the neighborhood meeting to take into consideration recommendations, concerns, or issues which could delay the applications approval process**
7. **Applicant submits the proposal to the City of Tigard for review, accompanied by the following essential documents**
  - ◆ A copy of the letter mailed to the affected property owners in regard to the neighborhood meeting along with a copy of the mailing list and the corresponding affidavit of mailing the neighborhood meeting letter/notice and the affidavit of posting the site.
  - ◆ A copy of the sign-up sheets from the meeting(s).
  - ◆ A copy of the minutes and/or comments, concerns or issues raised by those attending the meeting.

**APPLICATIONS WITHOUT THESE MATERIALS WILL NOT BE ACCEPTED AS COMPLETE.  
FAILURE TO FOLLOW THESE PROCEDURES MAY REQUIRE THE APPLICANT TO HOLD AN  
ADDITIONAL NEIGHBORHOOD MEETING.**

(SIGNS ARE AVAILABLE FOR PURCHASE AT THE DEVELOPMENT SERVICES COUNTER AT THE PRICE OF \$2.00 EACH.)

# **NOTICE**

**Developer to hold  
NEIGHBORHOOD MEETING  
concerning proposed  
development of this property.**

**Meeting Date**

**Time**

**Location**

## **PROPOSED PROJECT:**

**For More Information Contact:**

*Developer Name:*

*Address:*

*Telephone:*

## TYPICAL NEIGHBORHOOD CONCERNS: QUESTIONS TO ASK TO MAKE SURE YOUR CONCERNS ARE MET

The following is a list of questions developed by a subgroup of the Citizen Involvement Team. These questions are intended to aid you in formulating your own questions for proposed development in your area. Feel free to ask more or alter the questions to address your own unique concerns and interests.

### PROCESS

- ♦ What applications are you (the developer) applying for? When do you expect to submit the application(s) so that neighbors can review it? What changes or additions are expected prior to submittal?
- ♦ Will the decision on the application be made by City Staff, Hearings Officer, Planning Commission or City Council? How long is the process? (timing)/
- ♦ At what point in the process are citizens given notice and the opportunity to provide input?
- ♦ Has a pre-application conference been held with City of Tigard Staff?
  - ✓ Have any preliminary requirements been addressed or have any critical issues been identified?
  - ✓ What City Planner did you speak with regarding this project? (This person is generally the Planner assigned to the land use case and the one to contact for additional information).

### STREETS

- ♦ Will there be a traffic study done? What are the preliminary traffic impacts anticipated as a result of the development and how do you propose to mitigate the impacts if necessary?
- ♦ What street improvements (including sidewalks) are proposed? What connections to existing streets are proposed?
- ♦ Are streets proposed to be public or private? What are the proposed street and sidewalk widths?
- ♦ What are the emergency access requirements and what is proposed to meet those requirements?

### ZONING AND DENSITY

- ♦ What is the current zoning? What uses are allowed under this zoning?
- ♦ Will there be a re-zone requested by the developer? If yes, to what zone?
- ♦ How many units are proposed for the development and what is the minimum and maximum density allowed in the zone?

### DRAINAGE AND WATER QUALITY

- ♦ What is your erosion control and drainage plan? What is the natural slope of the property? What are the grading plans?
- ♦ Is there a water quality facility planned within the development and where will it be located? Who will own and maintain the facility?

### TREES AND LANDSCAPING

- ♦ What are the tree removal plans and what is proposed to mitigate for trees removed?
- ♦ What are the landscaping plans? What buffering or fencing is required and/or proposed?



## STATEMENT OF PURPOSE

**The following notice shall be read to attendees at the beginning of a neighborhood meeting.**

This meeting is regarding (project name)  
located at (project location)  
and is being held as required by The City Of Tigard development review process.

The purpose of this meeting is to inform neighbors of the project as currently planned. This meeting is not a decision forum and is not to approve or disapprove the project in whole or in part. It is to share information regarding the project and to solicit constructive input from neighbors and affected property owners.

Application for the project being discussed here has not yet been submitted to the City. Therefore, the project will be at various stages of planning and some details may not be available at this time. Property owners of record within 500 ft. should have received a list of frequently asked questions along with the notice of this meeting.

This meeting is not attended by City staff in order to encourage dialog between the developer and affected neighbors. Your comments and questions will be taken down and submitted with the application for consideration by the City planning staff.

Property owners within 500 ft will be notified after a complete application is submitted. They will be provided an opportunity to comment. Any appeals are decided based on the provisions of applicable laws and the development code.

For questions regarding the development review process, please contact the City of Tigard Planning Department. For project details, you will need to contact the developer.

CITY OF TIGARD, OREGON  
COUNCIL AGENDA ITEM SUMMARY

ISSUE/AGENDA TITLE Proposed Housing Set-Aside Guidelines

PREPARED BY: Duane Roberts DEPT HEAD OK \_\_\_\_\_ CITY MGR OK \_\_\_\_\_

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ISSUE BEFORE THE COUNCIL

Staff has prepared suggested guidelines for the award of affordable housing set-aside funds for Council review.

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STAFF RECOMMENDATION

Review and provide comments on draft set-aside guidelines.

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INFORMATION SUMMARY

The new City Affordable Housing Program, adopted by Council on 9/24/02, included specific land use and non-land use housing promotion measures. One of the land use measures was a budget set-aside designed to offset fees and charges imposed on affordable housing development. As directed by Council, staff is returning to Council with proposed guidelines for the award of the set-aside funds.

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OTHER ALTERNATIVES CONSIDERED

Consider amended or alternative guidelines.

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VISION TASK FORCE GOAL AND ACTION COMMITTEE STRATEGY

Growth and Growth Management, Goal #3: Partnerships for advocacy for development of additional units and preservation of affordable housing are encouraged and supported by the City and the community.

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ATTACHMENT LIST

Attachment # 1: Staff memo, "Proposed Guidelines for the New Housing Set-Aside"

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FISCAL NOTES

The adopted 02/03 budget includes a \$10,000 affordable housing set-aside within the Events and Social Services Fund.



## MEMORANDUM

### CITY OF TIGARD

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TO: City Council

FROM: James Hendryx, Director of Community Development

DATE: September 25, 2002

SUBJECT: Proposed Guidelines for the New Housing Set-Aside

The new City Affordable Housing Program, adopted by Council on September 24, 2002, included specific local level land use and non-land use housing promotion measures. One of the land use measures was a budget set-aside designed to reduce fees and charges imposed on affordable housing development. The first-year, or 2002/03, set-aside amount is \$10,000. As directed by Council, staff is returning to Council with proposed guidelines for the award of the set-aside funds.

As described in the *City Affordable Housing Program*, system development charges (SDCs) and permit fees increase the cost of building housing and are required up front which increases the amount of money a developer needs to start a project. Typical fees and charges imposed on a single-family house in Tigard are in the \$10-11,000 range. A typical multi-family housing project is assessed approximately \$3,000 per unit in fees and charges.

Listed below are possible guidelines for considering set-aside funding requests. Staff comments are in parentheses. Two of the guidelines are based on Council comments pertaining to the set-aside made during past affordable housing meetings. The proposed list should be seen as a starting point for discussion of this topic. No standards or guidelines currently in use elsewhere were found that would serve as a model for Tigard's set-aside program. And there are many different ways of looking at how it would work.

1. The proposed project must be owned and managed by an organization incorporated as a private, non-profit 501(c) organization.
2. The proposed project must be consistent with City housing policies and applicable planning and zoning standards.
3. Only units targeted to families earning at or below 50% of median income are eligible for City funds. (This reflects the focus of the City housing program. Affordability is defined as monthly rent plus utility costs that does not exceed 30% of the household's monthly gross income.)

4. The organization guarantees that the housing produced will maintain long-term affordability, with long-term defined as 20-30 years, or the period of any State or Federal housing loan attached to the project. (Nearly all affordable housing projects receive State or Federal loans.)
5. The organization guarantees that the project will be enrolled in the City Enhanced Safety Program (ESP) and maintain ESP certification for the respective housing loan period and the life of the ESP program. (A Council member suggested this guideline.)
6. Council review and approval of each separate award will be required. This review will include an in-person presentation to Council by a representative of the organization making the request. (A Council member suggested this guideline.)
7. The time limit on the use of the funds is two years. (It is anticipated that an organization would request the obligation of City funds at the beginning of the housing development process. This would allow the organization to include the contribution in the financial plan for its project and, most important, to demonstrate local support should the organization apply for State or Federal housing development funds as part of its financial plan. The City dollars would be used at the time of building permit issuance. Two years is a reasonable timeline for readiness to use the dollars. An operational problem with this time limit is that all of the City appropriations expire at the end of the year. The Finance Director is seeing if there is a way around this problem.)
8. Applications for assistance will be accepted on a first come first served basis.

In addition to the guidelines outlined above, staff forwards to Council a few specific guideline-related issues for resolution and refinement of the proposed or different guidelines.

**A. What is the appropriate local subsidy available per individual unit?**

Comments: In keeping with affordable housing loan and other programs, set-aside funds should be allocated on a per unit basis. As indicated, the current cost of fees and charges average \$3,000 for a multi-family and \$10,000 for a single-family unit. The City's first year fund amount is \$10,000. A per unit amount of \$500 would help ensure that the funds would be used and that small projects would benefit from the program.

**B. Should the program be open to Washington County Housing Services, or should eligibility be limited to private non-profit organizations only?**

Comments: On the one hand, it shouldn't matter who provides the affordable units. What is important is that the community need for more affordable units is being met. On the other hand, the resources of the Housing Authority are far greater than are those of the nonprofit housing developers. In terms of leverage effect, the comparatively small amount of City funds available would make more of a difference to the non-profits than to the tax-supported County Housing Agency. In addition to the cost savings involved, a local subsidy would serve to strengthen the non-profit's request for State or Federal housing development funds by demonstrating local financial support.

**C. Should eligible activities include rehabilitation or be limited to new development only?**

Comments: The goal of creating the fund is to promote the development of new units within the City. It is intended to serve as incentive for local projects by providing front end funding and support. This program purpose is best served by limiting the funds to the production or acquisition of additional units, as opposed to the rehabilitation of existing publicly- or non-profit owned units.

**D. Should unallocated portions of the annual set-aside amount be added to the set-aside amount for the next fiscal year?**

Comments: This proposed guideline comes from CPAH. The City Finance Director recommends against a policy of adding unspent amounts as part a housing set-aside request each year.

Finally, as suggested, if Council decides to restrict eligibility to private non-profits and/or to the development or acquisition of new units, staff recommends the addition of a flexibility provision to the suggested criteria 1-8 listed above to ensure that the set-aside funds would be used during the fiscal year.

9. Should any set-aside funds remain unspent or uncommitted following the first six months of the budget cycle, the City will accept applications for assistance from (1.) Washington County Housing Services for the development or acquisition of new units and (2.) from any non-profit housing provider, including Washington County Housing Services, for the rehabilitation of existing units.



CITY OF TIGARD, OREGON  
COUNCIL AGENDA ITEM SUMMARY

ISSUE/AGENDA TITLE Discussion of the Tigard Municipal Code additions – Chapter 9 – Trees on Public Property and Tree Manual

PREPARED BY Matt Stine & Dan Plaza DEPT HEAD OK \_\_\_\_\_ CITY MGR OK \_\_\_\_\_

ISSUE BEFORE THE COUNCIL

Discussion on the Tigard Municipal Code additions – Chapter 9 – Trees in Public Property and Tree Manual for adoption on October 29, 2002.

STAFF RECOMMENDATION

To give direction on the proposed additions to the Tigard Municipal Code - Chapter 9 - Trees on Public Property and Tree Manual.

INFORMATION SUMMARY

The proposed additions to the TMC – Chapter 9 – Trees on Public Property will provide direction to the City regarding the planting, maintenance, protection and removal of trees on City property. These code additions are required for the City to maintain the status of Tree City USA. The adoption of these additions to the code will also symbolize the City's commitment to preserving, enhancing and maintaining a healthy urban forest. At the direction of Gary Firestone this ordinance will go under Title 9 – Parks.

The Tree Manual will establish the guidelines by which the TMC will be followed. The Tree Manual will serve as a reference for determining such things as the correct amount of tree protection, the number of trees required to replant an area or what protocol must be followed when evaluating and/or removing hazardous trees.

OTHER ALTERNATIVES CONSIDERED

Reject the additions to the Tigard Municipal Code regarding Trees on Public Property and Tree Manual.

VISION TASK FORCE GOAL AND ACTION COMMITTEE STRATEGY

N/A

ATTACHMENT LIST

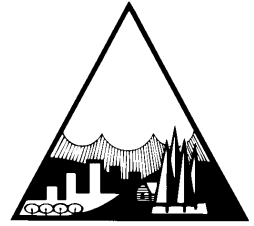
Attached are:

1. Memo to City Council and Mayor Griffith
2. Proposed changes to the Tigard Municipal Code
3. Proposed Resolution and Tree Manual

FISCAL NOTES

The City will not incur any additional cost beyond existing and current operating procedures.

# MEMORANDUM



TO: Mayor Griffith & City Council

FROM: Matt Stine

RE: Public Tree Ordinance & Tree Manual

DATE: October 8, 2002

For the past two years staff has been planning and developing these additions to the Tigard Municipal Code. The reasons for the creation and implementation of this document are to:

- provide direction for the City regarding the planting, care, protection and removal of trees on City property.
- satisfy the National Arbor Day's requirement to have a Public Tree Ordinance to become and remain a Tree City USA.

Until now, the City has not had a set of guidelines that clearly outline the policies affecting trees on *City* property. This ordinance and manual will provide the necessary guidelines to avoid possible contradictions on City development projects in the future. This ordinance and manual assure that every department in the City government will be following the same guidelines for trees on City property.

Tigard received Tree City USA award from the National Arbor Day Foundation for its efforts in 2001 regarding the urban forestry program. Tigard received the Tree City USA honor with the condition that we would develop and implement a Public Tree Ordinance during the 2002 calendar year. If we do not have the ordinance in place by the end of the 2002 calendar year Tigard will not receive the Tree City USA award.

During the development of the ordinance and Tree Manual I have received input and comments from numerous people including, Dan Plaza, Steve Martin, John Roy, Dennis Koellermeier, Kathy Kaatz, Ed Wegner, Brad Kilby, Matt Scheidegger, Morgan Tracy, Dick Beweresdorff, Jim Hendryx, Mike Mills, Brian Rager, Gus Duenas, Dee Wise and Gary Firestone. All of these people helped shape and develop the ordinance and Tree Manual to insure that the accuracy, completeness and legality of each document were in order.

At the direction of Gary Firestone, City Attorney's Office, two documents were developed, the attached proposed Tigard Municipal Code changes – Chapter 9 and a Tree Manual, which can be adopted by resolution. In the event that standards or guidelines need to be updated in the Tree Manual we won't have to go through the laborious task of changing an ordinance.

Essentially, these code changes will state that certain measures are required. The Tree Manual contains the information that specifically addresses how those certain measures will be carried out.

This Public Tree Ordinance will become part of Tigard Municipal Code, Title 9 – Parks.

CC: Bill Monahan  
Cathy Wheatley  
Ed Wegner  
Dennis Koellermeir  
Dan Plaza

## **Chapter XX TREES ON CITY PROPERTY.**

### **Sections:**

<b>XX.010</b>	<b>Purpose.</b>
<b>XX.020</b>	<b>Definitions.</b>
<b>XX.030</b>	<b>Tree Planting on City property.</b>
<b>XX.040</b>	<b>Tree Care and Maintenance on City property.</b>
<b>XX.050</b>	<b>Tree Protection.</b>
<b>XX.060</b>	<b>Removal of Hazardous Trees from City property.</b>
<b>XX.070</b>	<b>Tree Removal and Replanting.</b>
<b>XX.080</b>	<b>Enforcement.</b>

### **XX.010 Purpose.**

1. Value of Trees. The City of Tigard recognizes that trees are vital components of the urban forest environment. Trees reduce air, water, soil and noise pollution, provide energy-reducing shade, control erosion, supply oxygen to breathe, provide habitat for wildlife, enhance quality of life and property values in every community, and are sources of pride for the entire city.
2. Purposes.
  - a. To provide guidance for the planting, maintenance and protection of trees on City property; and
  - b. To provide a priority system for removal of hazardous trees from City property;
  - c. To ensure the protection of trees during the development of properties on City property.
3. Authority to Adopt a Tree Manual. The City Council may adopt by resolution a Tree Manual implementing the provisions of this Chapter and providing detailed standards for tree planting, maintenance, protection and removal on City property.

### **XXX.020 Definitions.**

The following definitions apply in this chapter:

1. City Forester. Under the direction of the Public Works Director is responsible for planning, developing and implementing a comprehensive urban forestry program, and providing community education and advice in support of urban forestry activities.
2. City Property. “City property” includes all land owned by the City and all lands dedicated to the public and administered by the City, including but not limited to City rights-of-way and City parks.
3. City-owned Property. City property other than the right-of-way.
4. Hazardous Tree. A tree which by reason of disease, infestation, age or other condition presents a known and immediate hazard to persons or to public or private property.
5. Mitigation. Methods of tree replacement, direct costs, and/or retention used to lessen the environmental impact of development.

6. Removal. The cutting or removing of 50 percent (50%) or more of a crown, trunk, or root system of a tree, or any action which results in the loss of aesthetic or physiological viability or causes the tree to fall or be in immediate danger of falling.
7. Street Tree. Any tree that is growing along a street within the public right-of-way.
8. Street Tree List. A list of approved tree species that may be planted within the public right-of-way.
9. Tree. A standing woody plant having a trunk(s) two inches or more in diameter when measured four and a half feet from the ground. If the tree is on a slope, the measure is taken on the uphill side.
10. Tree Manual. The manual governing tree planting, care, maintenance and removal adopted by the City by resolution pursuant to section XX.XXX.

**XX.030        Tree Planting.**

1. Tree Planting:
  - a. No person other than the City shall plant a tree on City property without the written approval of the City Forester. In approving tree plantings, the City Forester may impose conditions of approval;
  - b. Any City department responsible for City property shall consult with the City Forester before planting trees on City property;
  - c. The City Forester may grant approval of tree-planting on City property under subsection a of this section only if the applicant has submitted a tree plan showing compliance with the standards set forth in the Tree Manual, and has signed a maintenance agreement consistent with the standards set forth in the Tree Manual. The requirement for a maintenance agreement may be waived if the tree-planting is voluntary and not required by any City code provision or condition of approval;
  - d. All tree plantings on City property shall be undertaken in a manner consistent with the approval of the City Forester and the standards set forth in the Tree Manual;
  - e. Only trees listed in the Street Tree List or that are specifically approved by the City Forester may be planted as street trees.

**XX.040        Tree Care and Maintenance**

1. General Provisions
  - a. All trees planted pursuant to the written approval of the City Forester under Section XX.040 shall be cared for and maintained according to the standards set forth in the City Tree Care Manual.

**XX.050        Tree Protection**

1. Care of Trees on City Property. The City shall follow the Tree Manual in caring for and protecting trees on City property.

2. These requirements shall provide for the proper protection of tree roots, trunk(s) (or stem(s)), branches, and foliage within a tree's critical root zone for any tree on City property during any type of construction activity or project (excavation, demolition or any other type of disturbance);

**XX.060            Removal of Hazardous Trees from City Property**

1. Removal Priority

- a. When any person reports to the City Forester that a tree on City property is hazardous, the City Forester, or appointed designee, shall evaluate the condition of the tree. The City Forester shall establish a removal priority among trees determined to be hazardous and the City shall proceed with removal of hazardous trees from City property according to the priority established by the City Forester, subject to the availability of financial and other resources.

2. Removal of Hazardous Trees

- a. The removal of hazardous trees from City property shall be performed by City of Tigard employees or contracted commercial tree care companies with experience in tree removal. The City Forester shall provide guidance as to the disposition of any wood or debris from any tree removal on City property.

**XX.070            Removal of Trees from City Property**

1. Removal of Trees from City Property other than Right of Way Prohibited. No person other than the City or a person acting under contract with the City shall remove a tree from any City park or any City-owned property. Any person removing a tree from City property other than right of way shall provide mitigation as specified in the Tree Manual.
2. Removal of Trees from Rights of Way. No person other than the City or a person acting under contract with the City shall remove a tree from any City right of way without written approval of the City Forester. As part of the written approval for tree removal from right of way, the City Forester shall require mitigation as specified in the Tree Manual.
3. Removal of Wood or Tree Debris from City Property. No person shall remove wood or tree debris from City property without written approval of the City Forester, provided however that the City Forester may retroactively approve removal of wood or tree debris from City property if the removal was under emergency circumstances. This section does not prohibit clearing of paths or other clean-up that leaves wood or tree debris on City property.

**XX.080            Enforcement**

1. The City Forester may do any or all of the following if the City Forester has reason to believe a violation of this chapter has occurred:
  - a. Issue a stop work order pursuant to Tigard Development Code section 18.230;
  - b. Issue a civil infraction citation pursuant to Tigard Development Code Chapter 1.16;
  - c. Take any other action allowed by law to abate or obtain compensation for the violation.

CITY OF TIGARD, OREGON

RESOLUTION NO. 02-\_\_\_\_\_

A RESOLUTION ADOPTING THE PUBLIC TREE MANUAL

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WHEREAS, the Public Tree Ordinance provides direction to the City regarding the planting, maintenance, protection and removal of trees on City Property; and

WHEREAS, this ordinance is required for the City to maintain its Tree City USA status; and

WHEREAS, the adoption of this ordinance will also symbolize the City's commitment to preserving, enhancing and maintaining a healthy, urban forest; and

WHEREAS, the Tree Manual establishes the guidelines by which the ordinance will be followed; and

WHEREAS, the Manual will serve as a reference for determining such things as the correct amount of tree protection, the number of trees required to replant an area or what protocol must be followed when evaluating and/or removing hazardous trees.

NOW, THEREFORE, BE IT RESOLVED by the Tigard City Council that:

SECTION 1:       City Council formally adopt the resolution recognizing the Tree Manual as the official guideline for the care, maintenance, protection, planting and removal of trees in the City of Tigard.

EFFECTIVE DATE: This Resolution to be effective upon passage.

PASSED:       This \_\_\_\_\_ day of \_\_\_\_\_, 2002.

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Mayor - City of Tigard

ATTEST:

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City Recorder - City of Tigard

RESOLUTION NO. 02-\_\_

# **TIGARD TREE MANUAL**

## **Guidelines for the Care, Maintenance, Protection, Planting and Removal of Trees in the City of Tigard, Oregon**



**Index:**

<b>010</b>	<b>Purpose</b>
<b>020</b>	<b>Definitions</b>
<b>030</b>	<b>Tree Planting</b>
<b>040</b>	<b>Tree Care and Maintenance</b>
<b>050</b>	<b>Tree Protection</b>
<b>060</b>	<b>Hazardous Tree Removal</b>
<b>070</b>	<b>Tree Removal and Replanting</b>

**XX.010 Purpose.**

1. The purpose of this manual is to provide detailed standards to implement Tigard Municipal Code Section XX.

**XX.020 Definitions.**

1. Afforestation. The conversion of open land into forest. See: Reforestation.
2. Caliper. The diameter of a tree trunk measured 6 inches above the soil. If the diameter is more than four (4) inches then the diameter must be measured at 12 inches above the soil.
3. City Property. “City Property” includes all land owned by the City and all land dedicated to the public and administered by the City, including but not limited to City rights-of-way and City parks.
4. City-owned Property. City property other than right-of-way.
5. Critical Root Zone (CRZ). A circular region measured outward from a tree trunk representing the essential area of roots that must be maintained and protected for the tree’s survival. The CRZ is determined by whichever is greater:
  - a. The outer edge of the dripline;
  - b. Measuring a radius outward from the tree equal to one foot for every caliper inch less than four (4) inches when measured at six inches above the ground;
  - c. Measuring a radius outward from the tree equal to one foot for every inch at DBH when the caliper inches are greater than four (4) inches when measured at six inches above the ground.
6. Diameter at Breast Height (DBH). Diameter of the tree trunk measured four and a half feet (4 ½ feet) from the ground on the uphill side if a slope exists.
7. Large-sized Tree. Any tree that habitually grows in excess of 40 feet in height and has a canopy spread of more than 35 feet at full maturity.
8. Medium-sized Tree. Any tree that habitually grows between 25 feet and 40 feet in height and has a canopy spread of 16 to 35 feet at maturity.

9. Mulch. Organic material applied within the root zone of a tree. May include leaf litter, pine straw, shredded bark, peat moss or wood chips.
10. Prune. The cutting or trimming of a tree in a manner which is consistent with ANSI A300-2001.
11. Reforestation. The creation of a biological community dominated by trees and other woody plants containing at least 100 trees per acre with at least 50% of those trees having the potential of attaining a 2-inch or greater diameter at DBH within seven years. See: Afforestation..
12. Small-sized Tree. Any tree that habitually grows less than 35 feet in height and has a canopy spread of 25 feet or less at maturity.
13. Terminal Role. Branch that assumes the dominant vertical position on the top of a tree.
14. Tree Pit. A cut-out area in the sidewalk where a tree is growing.

### **030                      Tree Planting**

1. Purpose. The purpose of this section is to establish standards for the proper and appropriate planting, maintenance, protection and removal of street trees located within City property and the City right-of-way in order to maintain and improve the survival, safety, aesthetics and environmental benefits of trees:
  - a. By planting trees according to the guidelines set forth by the International Society of Arboriculture;
  - b. By caring for and maintaining trees according to the American National Standards Institute (ANSI) guidelines;
2. Tree Planting:
  - a. The City Forester must approve the planting of any trees planted on City property. This includes choosing appropriate trees from the Street Tree List or those approved by the City Forester;
  - b. All trees shall be planted according to the standards established by the International Society of Arboriculture;
  - c. Plant material shall be of high grade, and shall meet the size and grading standards of *The American Standard for Nursery Stock*, ANSI Z60.1-1996;
  - d. Planting diverse types of trees lowers the potential for devastating impacts of insect and disease outbreaks that many communities have experienced. In order to lower the effects of insect and disease outbreaks and lessen the burden of tree removal and replacement efforts on the city, choosing a diversity of appropriate species, genera and families of trees to plant on public property shall be a priority;

- e. Planting native tree species shall be the primary goal. However, choosing tree species that will adapt to the site and reach maturity shall also be a factor when planting trees on public property;
- f. Unless otherwise approved by the City Forester, trees shall have a minimum caliper of one inch and a maximum of 1.75 inches (when not in conflict with Community Development Code provisions), when measured 6 inches above grade;
- g. Unless otherwise approved by the City Forester, the specific spacing of trees by size of tree shall be as follows:
  - (1) Small or narrow-stature trees under 25 feet tall and less than 16-feet-wide branching at maturity shall be spaced no greater than 20 feet apart and not closer than 15 feet apart;
  - (2) Medium-sized trees 25 feet to 40 feet tall, 16 feet to 35-feet-wide branching at maturity shall be spaced no greater than 30 feet apart and not closer than 20 feet apart;
  - (3) Large trees over 40 feet tall and more than 35-feet wide branching at maturity shall be spaced no greater than 40 feet apart and not closer than 30 feet apart;
  - (4) Street Trees shall not be planted closer than 20 feet to light poles or utility poles;
  - (5) Visual clearance must be maintained according to the guidelines set forth in Chapter 18.795 of the Tigard City Code;
  - (6) Trees shall not be planted closer than four feet from private driveways (measured at the back edge of the sidewalk), fire hydrants or utility poles to maintain visual clearance;
  - (7) Tree pits shall be located so as to not include utilities (e.g. water and gas meters) in the tree well;
  - (8) On-premises utilities (e.g. water and gas meters) shall not be installed within existing tree well areas;
  - (9) New light poles or utility poles shall not be positioned closer than 20 feet to the main trunk of existing street trees except when public safety dictates, then they may be positioned no closer than 10 feet to the main trunk;
  - (10) Where there are overhead utility lines, the street tree species selected shall be of a type which, at full maturity, will not interfere with the lines;
  - (11) Trees shall not be planted within two feet of any permanent hard surface paving or walkway;
    - (a) Space between the tree and the hard surface may be covered by a nonpermanent hard surface such as grates, bricks on sand, paver blocks and cobblestones; and

- (b) Tree pits shall be at least:
  - 1) 4' X 4' for small-sized trees;
  - 2) 5' X 5' for medium-sized trees;
  - 3) 6' X 6' for large-sized trees.
- h. All persons other than the City who are required to plant trees as a condition of approval for a tree removal on City property shall provide a binding maintenance agreement for the minimum length of three complete growing seasons or three calendar years, whichever is longer.
- i. The City may require any person granted a permit for tree planting on City property to provide a maintenance agreement for the tree. The maintenance agreement shall normally be waived if the tree planting is voluntary. However, even if voluntary, the City may require a maintenance agreement to avoid costs of removal of trees that do not survive.
- j. The maintenance agreement shall detail how the plantings will be maintained to ensure the protection and satisfactory survival of trees according to the guidelines in Table 1 in Section 050. Reinforcement plantings shall occur if survival rates drop below the required guidelines in Table 1 in Section 050.
- (1) The maintenance agreement shall include:
  - (a) An assessment of existing conditions and needs for:
    - 1) Water.
    - 2) Nutrients.
    - 3) Control of competing vegetation.
    - 4) Protection from disease, pests, predators, and mechanical injury.
    - 5) Reinforcement planting provisions if survival rates drop below those outlined in the tree planting guidelines in Table 1 below.
    - 6) A plan to conduct the needed treatments and monitor results.
    - 7) Evidence of legal right to implement the agreement on the selected site.
    - 8) Certification or agreement by a party responsible for the care and monitoring.
    - 9) Provision for access and inspection by the City Forester.

## **050 Tree Planting Requirements**

- 1. Except as otherwise approved by the City Forester, all trees planted on City property, except street trees, shall be of a species native to the northern Willamette Valley and selected from the publication "Trees to Know in Oregon", published by Oregon State University and the Oregon Department of Forestry, or recognized publication identifying native trees and shrubs.
- 2. Tree planting guidelines:

**Table 1**

<i>Size</i>	<i># Required Per Acre (For Afforestation And Reforestation Only)</i>	<i>Approximate Spacing (For Afforestation And Reforestation Only)</i>	<i>Survivability Requirement After Three Years Or Three Growing Seasons (All Plantings)</i>
Bare root seedlings or Whips	300	12' X 12"	75%/225
Container grown (1,2,3 gallon)	300	12' X 12'	75%/225
Container grown (5,7 gallon) or 1" caliper Ball & Burlap (B&B)	200	15' X 15'	85%/170
Container grown (15, 25 gallon) or 2" caliper Ball & Burlap (B&B)	100	20' X 20'	100%/100

**NOTES:**

- *These stocking and survival requirements are the minimum numbers estimated to meet the definition of forest from bare land.*
- *In certain circumstances any combination of the above mentioned stocking options may be appropriate strategies to fulfill the requirements of tree mitigation. They will be evaluated on a case-by-case basis by the City Forester.*
- *Spacing does not imply that trees or shrubs must be planted in a grid pattern.*

**060 Tree Care and Maintenance**

1. General Provisions

- This section applies to trees planted on City property by persons other than the City;
- All trees shall be maintained according to ANSI A300-2001 for proper tree care and maintenance;
- All trees planted shall be cared for and maintained for a period of three calendar years or three complete growing seasons, whichever is longer, after the date of planting;

2. Tree Care and Maintenance

- Mulch shall be maintained on the Critical Root Zone;
  - Care shall be taken to avoid placing mulch against the base of the tree trunk;
  - At least three inches and no more than four inches of mulch shall be placed on the tree's Critical Root Zone.
- When feasible, trees shall be watered from May 1 until September 30;
  - Trees shall be watered at least once a week;

- (2) Water shall be placed only within the Critical Root Zone;
  - (3) The trees shall be watered at a rate of at least ten (10) gallons per week;
  - (4) Trees shall not be watered more than twice a week during the maintenance period.
- c. If tree stakes and tree ties are installed at the time of planting they shall be removed one year after planting;
- d. Trees shall be maintained for visual and passageway clearance;
- (1) Visual Clearance:  
  
Visual clearance must be maintained according to the guidelines set forth in Chapter 18.795 of the Tigard City Code.
  - (2) Passageway Clearance:
    - (a) Sidewalks- trees shall be pruned to provide at least eight feet of clearance above the walkway;
    - (b) Local Streets- trees shall be pruned to provide at least 13 feet of clearance above the roadway;
    - (c) Collector Street- trees shall be pruned to provide at least 15 feet of clearance above the roadway
    - (d) Arterial Street- trees shall be pruned to provide at least 18 feet of clearance above the roadway.
    - (e) Topping trees is an unacceptable form of tree care and maintenance and shall not be practiced on any tree located on City property except in the case of an emergency. Topping is defined as the severe and indiscriminate cutting of tree branches back to lateral branches that are too small to assume the terminal role.

## **070 Tree Protection**

The tree protection provisions in this section apply to the protection of trees on City property.

### **1. Tree Protection Methods**

- a. The protection of an individual tree's critical root zone shall be determined by the method listed below unless otherwise approved by the City Forester:

Trunk Diameter Method - one foot of radial distance for every one inch of tree diameter (DBH, 4 ½ feet above the ground on the uphill side) under 30 inches DBH. For trees over 30 inches DBH allow 1-½ feet per 1 inch of DBH.

- b. All tree protection devices shall be located on the Tree Protection Plan. Details and specifications are required as to how the trees will be protected on site;
- c. Tree protection devices shall be installed to protect the root zones of trees located on adjoining properties if any type of construction activity will be disturbing the critical root zone unless otherwise approved by the City Forester;
- d. A construction sequence shall be provided and shall include:
  - (1) installation and removal of tree protection devices;
  - (2) clearing, grading, or installation of sediment and erosion control measures;
  - (3) other activities that may be required to implement the tree protection measures;
- e. Include in the notes on the final set of plans: "Equipment, vehicles, machinery, dumping or storage, or other construction activities, burial, burning, or other disposal of construction materials shall not be located inside of any tree protection device.";
- f. All tree protection devices shall be:
  - (1) Visible;
  - (2) Well-anchored;
  - (3) Approved in the field by the City Forester prior to clearing, grading, or the beginning of construction;
  - (4) Remain in place and maintained until the project has shown compliance with development requirements from the City's Planning Department;
- g. The location of the stockpile and staging areas for construction shall be identified on the Tree Protection Plan;
- h. All tree protection guidelines shall be included in the final Tree Protection Plan's notes or drawings;
- i. Guidelines for replacement. Replacement of a tree shall take place according to the following guidelines:
  - (1) A replacement tree shall be an approved species taking into consideration site characteristics;
  - (2) If a replacement tree of the size cut is not reasonably available on the local market or would not be viable, the City Forester shall require replacement with more than one tree in accordance with the following formula:

The number of replacement trees required shall be determined by dividing the caliper inches of the tree removed or damaged by the caliper size of the replacement tree(s) (no less than 1 inch and no more than 1.75 inches). The caliper inches shall be measured at six inches above the ground, on the uphill

side if there is a slope. If the diameter is larger than four (4) inches in diameter at six inches above the ground then the measurement shall be taken at DBH. If this number of trees cannot be viably located on the subject property, the City Forester may require one or more replacement trees to be planted on other property within the City, either on City property or, with the consent of the owner, on private property;

- (3) The planting of a replacement tree shall take place according to the guidelines set forth by the International Society of Arboriculture.

## **080 Hazardous Tree Removal**

1. The standard used by the City Forester for evaluating a tree's condition will be the International Society of Arboriculture's "Tree Hazard Evaluation Form";
2. Above-ground parts of a felled tree on City property should normally be removed from the site by the City or its contractor. The wood may be left on site if it does not create a hazardous condition. No person other than the City or its contractor shall remove wood from City property without the approval of the City Forester.

## **090 Replacement Trees**

This section applies to the replacement of trees and trees planted as mitigation as required by Tigard Municipal Code, Chapter XX.

1. Existing non-hazardous trees removed by development projects or other construction activities shall be replaced with types of trees approved by the City Forester according to the tree plan requirement below;
2. Tree plan required. A tree plan for the removal, planting, and protection of trees six inches at DBH or greater prepared by an International Society of Arboriculture Certified Arborist shall be provided for any development on public property. Widening of existing public streets will be exempted from tree mitigation requirements. Construction of new streets and extension of existing streets as shown in the Transportation System Plan maps are likewise exempted from the tree mitigation requirements. Protection is preferred over removal.
  - a. Plan requirements. The tree plan shall include the following:
    - (1) Identification of the location, size and species of all existing trees six inches DBH and larger;
    - (2) Identification of a program to save existing trees six inches DBH or greater and/or mitigate tree removal over 12 inches DBH. Mitigation must follow the replacement guidelines set forth in the Guidelines for Replacement in the City Tree Care Manual., in accordance with the following standards and shall be exclusive of trees required by other development code provisions for landscaping, street trees and parking lots:
      - (a) Retention of less than 25% of existing trees over 12 inches DBH requires a mitigation program in accordance with the Guidelines for Replacement in the City Tree Care Manual;



- (b) Retention of 25% to 50% of existing trees over 12 inches DBH requires that two-thirds of the DBH of those trees to be removed be mitigated in accordance with the Guidelines for Replacement in the City Tree Care Manual;
  - (c) Retention of 50% to 75% of existing trees over 12 inches DBH requires that 50 percent of the DBH of those trees to be removed be mitigated in accordance with the Guidelines for Replacement in the City Tree Care Manual;
  - (d) Retention of 75% or greater of existing trees over 12 inches DBH requires no mitigation.
- (3) Identification of all trees that are proposed to be protected;
- (4) A protection program defining standards and methods that will be used by the applicant to protect trees during and after construction shall be provided.
- 3. All trees to be protected and retained must be evaluated by an International Society of Arboriculture Certified Arborist and deemed of acceptable risk, free of significant insect and disease problems and be in an overall healthy condition;
- 4. Guidelines for replacement. When replacement of a tree is required as a condition of a tree removal approval, replacement shall take place according to the following guidelines:
  - a. A replacement tree shall be an approved species taking into consideration site characteristics;
  - b. If the number of replacement trees cannot be viably located on the development site, the City Forester may require some or all of the replacement trees be planted on another site within Tigard on City property or, with the consent of the owner, on private property;
  - c. The planting of a replacement tree shall take place according to the guidelines set forth by the International Society of Arboriculture.
- 5. In lieu-of payment. In lieu of tree replacement under Section XX.070.2 above, a party may, with the consent of the City Forester, elect to compensate the City for its costs in performing such tree replacement for the caliper inches at DBH that were removed. The replacement cost to plant a one inch caliper tree shall be based the total of the costs listed below.
  - a. Average wholesale cost of one, 1 inch caliper tree.
  - b. Average hourly cost for two City employees to plant one, 1 inch caliper tree.
  - c. Average cost of materials required for two City employees to plant one, 1 inch caliper tree.
  - d. Average hourly cost of equipment and equipment operation by City employee to plant one, 1 inch caliper tree.

- e. Average cost for two City employees to handle and transport one, 1 inch caliper tree.

AGENDA ITEM # \_\_\_\_\_  
FOR AGENDA OF 10/15/02

CITY OF TIGARD, OREGON  
COUNCIL AGENDA ITEM SUMMARY

ISSUE/AGENDA TITLE Discussion on Metro's UGB Expansion

PREPARED BY: Beth St. Amand DEPT HEAD OK \_\_\_\_\_ CITY MGR OK \_\_\_\_\_

ISSUE BEFORE THE COUNCIL

Metro is currently reviewing the 20-year land capacity of the Urban Growth Boundary (UGB) and assessing potential expansion sites for a December 2002 decision. This decision involves the existing and future supply of industrial, commercial and residential land. Council's position on three key issues will determine Tigard's involvement in this process and will be reflected in specific comments submitted to Metro by November 1. The worksession will focus on specific questions to aid Council in its discussion.

STAFF RECOMMENDATION

No action necessary.

INFORMATION SUMMARY

Over the last year, Metro has been analyzing the current urban growth boundary's ability to absorb projected employment and population growth for the next 20 years. State law requires Metro to maintain a 20-year supply of urbanizable land in the UGB, and Metro must demonstrate this capacity every 5 years and designate future expansion lands if needed. Metro Executive Officer Mike Burton made his expansion recommendation in August; the final decision is expected in December 2002, with open houses/hearings in October.

Burton recommended the Metro Council consider expanding the UGB by 17,341 acres, which includes 2,234 acres for industrial/employment needs. It included two sites adjacent to Bull Mountain for residential expansion. The recommendation has raised a number of issues regionally; for Tigard, there are three key issues for consideration:

- 1) Regional: Support for the Westside to include more "large size" industrial parcels;
- 2) Commercial: Conversion of Hwy 217 industrial corridor to mixed commercial;
- 3) Tigard's Borders: Urban edge issues in Bull Mountain, including density/target numbers, provision of open space, and designating neighborhood commercial areas.

These issues were briefly reviewed at the 9/24/02 Council study session; this meeting provides an opportunity to discuss these complex issues at length. The attached questionnaire will form the basis of the discussion and the City's formal comments to Metro.

OTHER ALTERNATIVES CONSIDERED

N/A

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## VISION TASK FORCE GOAL AND ACTION COMMITTEE STRATEGY

Growth and Growth Management Goal #1: Growth while protecting the character and livability of new and established areas while providing for natural environment and open space throughout the community.

Growth and Growth Management Goal #2: Urban services are provided to all citizens within Tigard's urban growth boundary and recipients of services pay their share.

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## ATTACHMENT LIST

Attachment 1. Memo. "Questionnaire for 1/15/02 Council Worksession on the UGB Expansion"

Attachment 2. Memo. "Burton's UGB Recommendations/Comments"

Attachment 3. Memo. "Metro's Methodology for Determining Dwelling Unit Capacity in UGB Expansion Areas"

Attachment 4. Memo. "Burton's UGB Recommendations and their Impact on Tigard Open Space/Parks"

Attachment 5. Questionnaire. "The UGB Expansion: Questions for Tigard"

Attachment 6. Map. "Proposed UGB Lands Adjacent to Bull Mountain"

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## FISCAL NOTES

N/A



## MEMORANDUM

### CITY OF TIGARD

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TO: Mayor Griffith and City Council

FROM: Jim Hendryx

DATE: October 1, 2002

SUBJECT: Questionnaire for 10/15/02 Council Worksession on the UGB Expansion

Council was briefed on September 24<sup>th</sup> on the upcoming Urban Growth Boundary decision. At that time, Council requested to have the matter return for a more in-depth discussion. I have included background information that staff prepared, laying out various issues associated with the expansion, methodologies, and specific issues for Tigard's consideration.

There are three major issues for City Council to consider regarding Metro's upcoming UGB decision. Council's position will determine the extent of Tigard's involvement, which will be reflected in specific comments submitted to Metro by November 1.

#### The Issues:

- 1) Regional: Support for the Westside to include more "large size" industrial parcels;
- 2) Commercial: Conversion of Hwy 217 industrial corridor to mixed commercial;
- 3) Tigard's Borders: Urban edge issues in Bull Mountain (density/target numbers, open space, neighborhood commercial).

These issues are outlined and discussed in Attachment #5 – "The UGB Expansion: Questions for Tigard"



## MEMORANDUM

### CITY OF TIGARD

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TO: Jim Hendryx

FROM: Barbara Shields

DATE: September 13, 2002

SUBJECT: Burton's UGB Recommendations/Comments

The objective of this memo is 1) to review the Executive Officer Recommendation to expand the region's Urban Growth Boundary within the context of its impact on Tigard; and 2) to recommend an effective approach to forward Tigard's concerns to the Metro Council before its final decision in December.

Metro Executive Mike Burton recommended the Metro Council consider expanding the UGB by 17,341 acres, which includes 2,234 acres for industrial/employment needs.

It seems that at least three major issues need to be considered to structure the extent and scope of Tigard's involvement in the upcoming Metro's decision on UGB:

- 1) Support for Westside to include more "large size" industrial parcels;
- 2) Conversion of Hwy 217 industrial corridor to mixed commercial;
- 3) Urban edge issues in Bull Mountain (density/target numbers, open space, neighborhood commercial).

#### **GENERAL POLICY CONTEXT**

##### **I. The concept of the "long-term economic development strategy" versus industrial land policies**

Metro estimated a deficit of nearly 5,700 acres of industrial need to meet the region's job needs during the next 20 years. The shortage of parcels of 50 acres or larger is particularly acute. Burton recommended adding 2,234 acres of industrial land at this time and advocated a close examination of plans to convert existing industrial lands to other uses, including commercial.

Burton's overall recommendation is significantly influenced by the concept of the "long-term economic development strategy." Specifically, Burton declined to recommend converting prime farmland to **industrial use** until the region has a long term, sustainable economic strategy in place. As a remedy to this "oversight", Burton proposes to supplement the current UGB work program with a series of new tasks ("Task 3"), which would allow Metro to address the long term economic development strategy, including two groups of policies to be examined in the context of the demand and supply of employment land.

1. *Protection of "key industrial areas"* (key industrial areas must be protected from non-industrial uses that do not support industrial uses).

So far, the regional and subregional discussion has been focused primarily on the scope and impact of industrial zoning restrictions and the type of uses that encroach on the industrial viability of key industrial areas. Since there are no "key industrial areas" (Attachment 1) that have been identified by Metro in Tigard, the outcome of this discussion is likely not to have any immediate impacts on Tigard. However, as part of the Metro region, Tigard's economic base is inseparable from the "big picture" economic consideration.

The "industrial policy" discussion seems to oscillate around the two major efforts:

**Economic Development Partners** (alliance of public and private economic development professionals). Their focus is on expanding additional industrial land. They call for a very specific and detailed study/research to prove that Metro's analysis is not adequate and does not reflect the "real" economic factors.

**Westside Economic Alliance.** Primarily Washington County jurisdictions. Their focus is on large industrial tracts in Washington County. They identified four industrial parcels for Metro's consideration.

Question: Does Tigard support the overall concern about the shortage of "ready-to-go" industrial area as part of this year UGB expansion?

2. *Conversion of old and "outdated" industrial areas* (Metro indicates that some industrial areas are no longer viable for industrial jobs and could be readily converted to mixed-use development. Hwy 217 corridor areas are mentioned by Burton as likely candidates for the future mixed-use conversion).

- Both Burton's report and associated/supporting ancillary research documents, do not contain any discussion of how the conversion of old industrial uses to mixed use development may potentially impact the integrity of regional centers, which, at the same time, continue to be viewed as "quality mixed-use places" in Metro's reports. Also, there has not been any significant regional/subregional discussion that would examine the relationship between the "industrial conversion" and the "center-style" mixed use concept.
- Tigard's portion of the "outdated Hwy 217 industrial corridor" is a combination of several industrial zones in Tigard. The prevailing development pattern seems to gravitate to industrial campus or mixed industrial with little-to-none manufacturing. Also, the area is fully developed, with a few potential redevelopment sites.

Questions: 1) Should “old, outdated industrial areas” along Hwy 217 continue to be part of the regional discussion on industrial-to-mix use commercial conversions?  
2) What would be the optimal combination of uses for this area, given the existing pattern of old and new developments?  
3) Given the proximity of the Washington Square Regional Center Plan and Hwy 217 corridor industrial areas, should Tigard initiate/lead the discussion on the relationship between the centers and mixed-use postindustrial areas? How to balance the mixed-use nature of regional centers with corridors and industrial conversion areas (What should be the optimal mix of uses for the converted industrial areas and centers?)

## **II. Future Topics for Policy Discussion in the Region**

Burton identifies three key areas that “warrant future policy discussion” in the region: 1) farm land protections versus urban boundaries; 2) physical form of the region (relationship between 2040 centers and urban edge and its impact on urban form); and 3) development of regional economic policy.

Since Tigard’s physical identity is largely determined/affected by its westerly boundary (Bull Mountain) and the presence of the Washington Square Regional Center, it seems logical that Tigard’s efforts and contribution to the regional discussion should focus on the relationship between the regional centers and planning at the edge (Bull Mountain development).

Question: How should Tigard balance its primary interest related to the edge/center locations with Washington County/Westside’s primary focus on employment/industrial land distribution?

## **URBAN FORM:**

### **Tigard’s Choices: Planning at the Urban Edge**

#### **1. Summary of UGB recommendations affecting Tigard**

Two areas, 63 and 64, (Bull Mountain area) have been determined to be suitable for urban development and inclusion within Tigard’s Urban Growth Boundary. Both areas (63 and 64) are approximately 480 acres in size, with the Metro-projected/target number of 1735 residential units (Attachment 3).

Metro’s analysis indicates that this recommendation is based on the following conclusions, based on 2040 Fundamentals:

- these areas have been developed for rural residential uses and, in general, have the capacity to develop at urban densities;
- these areas will result in land additions at the edge and due to their small size have limited potential to be developed as more balanced communities although they may support development in nearby Town Centers;
- they meet enough of the Fundamentals to have beneficial effects on the nearby cities by increasing the market areas by providing more opportunities for parks.



## 2. Impact on Bull Mountain

Given the size, configuration and location of the proposed UGB areas in relation to the existing and planned transportation system network, both proposed areas are likely not to develop as “balanced” and distinct communities. Nevertheless, their proximity to the Bull Mountain area may significantly affect the sensitive character of the ongoing efforts to develop a coherent and consistent development strategy for Bull Mountain.

Therefore, they should be built to complement and enhance the Bull Mountain community. Care must be taken to integrate these land additions so that they do not result in visually distinct and disruptive “tack-ons.”

Several factors may be considered in evaluating the impacts of the proposed UGB expansions on Bull Mountain:

- ***Transition and distribution of residential densities at “the edge”***

The UGB expansion areas are proposed by Metro at 9.6 dwelling units/net developable acre. In Tigard’s code, this most closely approximates the R-12 zoning designation. R-12 allows for a minimum lot size of 3,050 sq. ft. for both multi-family and single-family units. It is intended to provide for a “full range of housing types,” which includes both attached and detached dwelling units. Currently, R-7 is the dominant zoning in Bull Mountain, with a minimum lot size of 5,000 sq. ft. Applying the minimum lot size achieves a density of 6.98 dwelling units per net acre. Few roads exist at the edge, making a seamless transition even less likely. In order to integrate the existing and future development pattern in this area, an overall analysis of preferred density distribution is needed and must be addressed as part of the overall development strategy for Bull Mountain.

Question: How to deal with both density transition and density distribution at the edge of Bull Mountain? Currently, “the edge” (the UGB) does not have a corresponding natural or man-made visual component. If the 9.6 du/ac is applied to the entire expansion area, these two different densities will meet in a disjointed seam, marking the edge by their different densities.

- ***Impact on Open Space/Parks***

There is a gap between Metro’s calculations and City standards which totals 86.24 acres (Attachment 4). Due to this parks deficiency, the dwelling unit calculations need to be revised downward as they do not reflect the parks situation. The calculations should deduct enough acreage to meet the areas’ park needs. Without the revision, the City will be responsible for density levels that will result in an area with few parks and compromised livability—not only for these new expansion areas, but the adjacent Bull Mountain area as well.

Question: When and how should the City tackle the open space/parkland shortage problem? (Policy alternatives: Consider securing some areas outside the City before they get amended? Not accept projected targets/land expansions? Lower the standard for parks?)

- ***Neighborhood-oriented commercial uses versus development at “the edge”***

The expansion areas' odd configurations and small sizes do not allow them to develop as their own distinct, balanced community. Therefore, they should be built to complement and enhance the Bull Mountain community. Despite an expected population of 10,235 to 12,905 residents in Bull Mountain, and expected 5,066 residents in the expansion areas, these residents have only one existing neighborhood commercial center, located northeast of the Bull Mountain area. This area requires the majority of residents to utilize a car. With more than 15,000 residents expected in this area, the zoning and calculations must allow for an additional neighborhood commercial center to increase local trips and prevent additional trips on already-congested Pacific Highway.

This neighborhood commercial center could also perform another function. Currently, "the edge" does not have a corresponding natural or man-made visual component. If the 9.6 du/ac is applied to the entire expansion area, these two different densities will meet in a disjointed seam, marking the edge by their different densities. A better way to integrate the two communities could be to create a neighborhood-oriented commercial center at "the edge," with higher residential densities nearby to support this commercial use. Adding a neighborhood commercial center would reduce automobile trips and build a sense of community between the current UGB area and expansion areas, leading to a more cohesive and livable community.

Question: When and how should the City address the neighborhood commercial need?

In short, the major question is how to balance the "edge" issues with the "balanced" community issues in the Bull Mountain area. Specifically, Tigard's response to Metro should address the following issues:

- Estimate of needed/additional open space versus (or lowering the acceptable service of open space);
- Consideration of additional NC land

## MEMORANDUM

### CITY OF TIGARD

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TO: Barbara Shields

CC: Jim Hendryx

FROM: Beth St. Amand

DATE: September 13, 2002

SUBJECT: Metro's Methodology for Determining Dwelling Unit Capacity in UGB Expansion Areas

This memo summarizes Metro's methodology in determining dwelling unit capacity in UGB expansion areas.

#### **Tigard's Interest**

UGB expansion areas 63 and 64 are adjacent to Bull Mountain. The Alternatives Analysis calculated that Area 63 (south and west of Bull Mountain) could support 688 dwelling units in this 218-acre area. Area 64 (west of Bull Mountain) was estimated to support 1,047 units on 262 acres.

#### **The Calculations**

As a point of comparison, we performed a basic net buildable acres calculation. This calculation deducts 20% of gross buildable acres for right-of-way, streets and facilities, converts acres to square feet, applies the minimum lot size for R-7 zoning (zoning on Bull Mountain today), and takes 80% of the final number to reflect minimum density (or, the underbuild factor). We also applied the same calculation with Metro's du/ac.

	<b>Metro 9.6 du/net ac</b>	Trad. Calc. 6.96 du/ac (5000 sqft lots)	Trad. Calc. 9.6du/ac (3050 sqft lots)
63	<b>688</b>	1215	1992
64	<b>1047</b>	1461	2395

*Figure 1. Calculations for Sites 63 and 64*

However, the basic calculation does not deduct for sensitive lands, Bull Mountain's extensive park needs or other large-scale needs requiring extensive acreage. It also assumes all single-family development to simplify the calculation.

## **Metro's Methodology**

It becomes evident in the above table that Metro's methodology involves other factors or steps. Metro's consultant performed its analysis on **each** individual parcel contained in the Site Area, instead of a broad-brush approach. The following was applied to each parcel individually:

1. **Dwelling Units:** 9.6 dwelling unit/ net ac v. the adjacent Bull Mountain area's prevalent R-7, or 6.96 du/ net ac. This is based on Metro Code density requirements.
2. **Street Deductions:** Parcels greater than 1 ac: 18.5%  
Parcels between 1 ac and 3/8 acre: 10%  
Parcels less than 3/8 acre: No deduction
3. **Parks Deductions:** Flat rate of 2.2%; applies toward active parks only. Does not take into account specific situations; i.e., Bull Mountain deficit.
4. **Schools Deductions:** Flat rate of 2.9%; no specific needs taken into account. Would there be a high school needed in this area? These specific requirements were not addressed.
5. **Removal of Parcels**  
**W/ High-Value Buildings:** Partially vacant parcels with a building value meeting or exceeding \$250,000 were removed.
6. **Steep Slopes:** Land removed from inventory.
7. **Title 3:** If Title 3 impacts an entire parcel, 1 du/parcel was applied. If partially impacted, the calculation gets more complex to allow for transferable development rights.
8. **Partially Vacant Lots:** Based on aerial photography from July 2000. If a lot has a dwelling and the parcel's vacant area is greater than ½ acre, that area is considered vacant.
9. **Underbuild Factor** Apply 20% underbuild factor, assuming residential development will be built at Metro Code requirement of 80% of maximum density.
10. **Facilities** Although our areas did not have any public facilities counted, Metro did allow for reservoirs and other needs on sites where identified by public works departments.

## **Fine-Tuning the Numbers**

Metro does not plan on doing additional refinements of these numbers. However, because the calculations did not account for our areas' specific needs and used standard deductions, this density may be too high for this area and unachievable. These calculations did not account for any parks needs for Bull Mountain, which are extraordinary, or any future high-school needs (which would consume approximately 40 acres of land). Also, this calculation does not allow for any neighborhood commercial deductions.

While we have notified Metro regarding our parks concerns, which have been duly noted by Metro in the August 2002 "Applying 2040 Policies to Potential Expansion Areas," it must be emphasized that the calculations did not account for this need. We should continue to respond to Metro regarding our specific concerns and monitor the density projections for these sites.

## MEMORANDUM

### CITY OF TIGARD

TO: Barbara Shields

CC: Jim Hendryx

FROM: Beth St. Amand

DATE: September 13, 2002

SUBJECT: Burton's UGB Recommendations and their Impact on Tigard Open Space/Parks

Metro has acknowledged the City's concern that expansion areas 63 and 64 need to accommodate enough park lands to serve future residents and Bull Mountain. However, this acknowledgement is not reflected in the projected number of dwelling units used in the Alternatives Analysis. Metro used a flat rate of 2.2% for active parks deductions. This rate does not take into account these two areas' extraordinary parks needs, due to Bull Mountain's current deficiency of 58 acres and the inability to meet this need because of high land acquisition costs within the UGB.

The following chart demonstrates the gap between Metro's methodology and the areas' parks needs by applying the City's current park standards:

<b>Parks in UGB Expansion Areas</b>	<b>Area 63</b>	<b>Area 64</b>
No. of gross acres	218	262
Apply Metro's 2.2% for parks	4.80 ac	5.76 ac
Metro's est. # of units	688 units	1047 units
Est. # residents*	2009 residents	3057 residents
Park need by City Standards (Apply 7.6 ac/1000 people)	15.3 ac	23.2 ac
Metro deficiency (city standard – Metro 2.2%)	10.5 ac	17.44 ac
Apply Bull Mtn. Need (58.3; divide between both areas)	29.15 ac	29.15 ac
<b>Full Metro parks deficiency in Expansion Areas</b>	<b>39.65 ac</b>	<b>46.59 ac</b>

*\*Applied median household size on Bull Mountain: 2.92*

In Metro's Buildable Lands Analysis, Metro estimated future park acres for Tigard and the region using a Fiscal Resource approach. (Note: these specific estimates were not applied to the site-specific alternatives analysis.) This approach based its calculations on existing fiscal resources available to purchase new lands; i.e., parks system development charges (SDCs). Metro calculated that Tigard could acquire 81 ac of parkland at \$75,000/ac and 30 ac at \$150,000/ac. The lower cost estimate of 81 ac, while it differs from the total City of Tigard estimate of 96.8 ac, is on a similar scale.

However, as the above chart demonstrates, the gap between Metro's calculations and City standards totals 86.24 acres. Due to this parks deficiency, the dwelling unit calculations need to be revised downward as they do not reflect the parks situation. The calculations should deduct enough acreage to meet the areas' park needs. Without the revision, the City will be responsible for density levels that are unachievable and will result in an area with few parks and compromised livability—not only for these new expansion areas, but the adjacent Bull Mountain area as well.

# The UGB Expansion: Questions for Tigard

## Regional Issues

### Industrial Land: Deficit

Metro estimates a 5,700-acre deficit of industrial land for the region's job needs during the next 20 years, with the greatest need for large-size parcels (over 50 acres). Metro Executive Officer Mike Burton recommended adding 2,234 acres of industrial land now and advocated examining plans to convert existing industrial lands to other uses, including commercial.

### Industrial Expansion

Most recommended industrial parcels are on the Eastside (Damascus area) because Westside expansion would convert farmland for industrial use. (State law requires expansion on marginal or exception lands before agricultural land.) Burton does not support farmland conversion until a long-term economic strategy is in place.

### Concerns about Metro's Industrial Recommendation

The Economic Development Partners (alliance of public and private economic development professionals) want to expand industrial land; the group has called for a specific study to prove that Metro's analysis is not adequate and does not reflect the "real" economic factors. The group is concerned about the regional economic effect of having few ready-to-go sites for development, as many have significant development constraints. The group's recommendation identifies additional exception and marginal land sites, but also proposes inclusion of farmland for 2,605 total acres. The group believes a strong case can be made under state law for the farmland.

The Westside Economic Alliance (primarily Washington County jurisdictions) recommends the inclusion of four Washington County large tracts to accommodate industrial; none are in Tigard.

<b>1.</b>	<b>Does Tigard support the overall concern about the shortage of "ready-to-go" industrial areas on the Westside for this year's UGB expansion?</b>

## Commercial Issues

### Industrial Protection and Conversion

Burton proposes protecting “key” industrial areas through increased zoning restrictions. Since there are no “key industrial areas” that have been identified by Metro in Tigard, the outcome of this discussion is likely not to have any immediate impacts on Tigard.

However, Metro also indicates that some industrial areas are no longer viable for industrial jobs and could be readily converted to mixed-use development. Burton's recommendation states that relaxing zoning restrictions in old or outdated industrial areas would allow a variety of uses to better support market demands for redevelopment. Hwy 217 corridor areas are mentioned by Burton as likely candidates for the future mixed-use conversion.

Today, the Hwy 217 corridor consists of these uses: industrial campus, mixed industrial, minimal manufacturing. It is almost fully developed. The reports do not discuss how the conversion of old industrial uses to mixed-use development may potentially impact the integrity of regional centers; in Tigard's case, Washington Square and its proximity to 217.

<b>1.</b>	<b>Does the City want another mixed-use area besides the Regional Center?</b>
<b>2.</b>	<b>Should these industrial areas along 217 be included in the conversion discussion?</b>



<b>3.</b>	<b>Should Tigard initiate/lead the discussion on the relationship between the centers and mixed-use areas?</b>
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<b>Tigard's Borders</b>	
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<b>Tigard's Borders</b>	
<b>Additions and Density Projections</b>	

<b>Tigard's Borders</b>	
<b>Additions and Density Projections</b>	
<p>Burton's recommendation includes Sites 63 and 64, which are adjacent to Bull Mountain. Metro's analysis acknowledges that these areas will result in land additions at the edge, and, due to their small size, have limited potential to be developed as more balanced communities although they may support development in nearby Town Centers. These areas will need to be integrated into the larger Bull Mountain area.</p>	

<b>Tigard's Borders</b>	
<b>Additions and Density Projections</b>	
<p>Metro projects this area as residential, with no allowance for commercial or industrial. Metro estimates 1,735 dwelling units on 480 total acres by applying a 9.6 dwelling unit/net acre ratio. Tigard's equivalent is R-12 zoning, , which is 11.44 du/net acre. Currently, R-7 is the dominant zoning in Bull Mountain, with a minimum lot size of 5,000 sq. ft. Applying the minimum lot size achieves a density of 6.98 dwelling units per net acre. R-7 accommodates attached, detached single-family homes. R-12 accommodates single and multi-family units.</p>	

<b>Tigard's Borders</b>	
<b>Additions and Density Projections</b>	
<p>Both R-7 + R-12 are considered medium-density residential districts:</p>	

<b>Tigard's Borders</b>	
<b>Additions and Density Projections</b>	
<p>R-12 lot minimum = 3,050 sq. ft.</p>	

<b>Tigard's Borders</b>	
<b>Additions and Density Projections</b>	
<p>R-7 lot minimum = 5,000 sq. ft.</p>	

<b>1.</b>	<b>Should the City accept the varying densities between Bull Mountain and expansion areas or should it propose a flexible alternative?</b>
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## **Parks**

Metro has acknowledged the City's concern that expansion areas 63 and 64 need to accommodate enough park lands to serve future residents and Bull Mountain.

However, this acknowledgement is not reflected in the projected number of dwelling units used in the Alternatives Analysis. Metro used a flat rate deduction of 2.2% for active parks. This rate does not take into account these two areas' extraordinary parks needs, due to Bull Mountain's current deficiency of 58 acres and the inability to meet this need because of high land acquisition costs within the UGB.

There is a gap between Metro's calculations (2.2%) and what City standards would require (7.6 ac/1000 people), which totals 86.24 acres.

**2.**

### **How should the City tackle the open space/parkland shortage:**

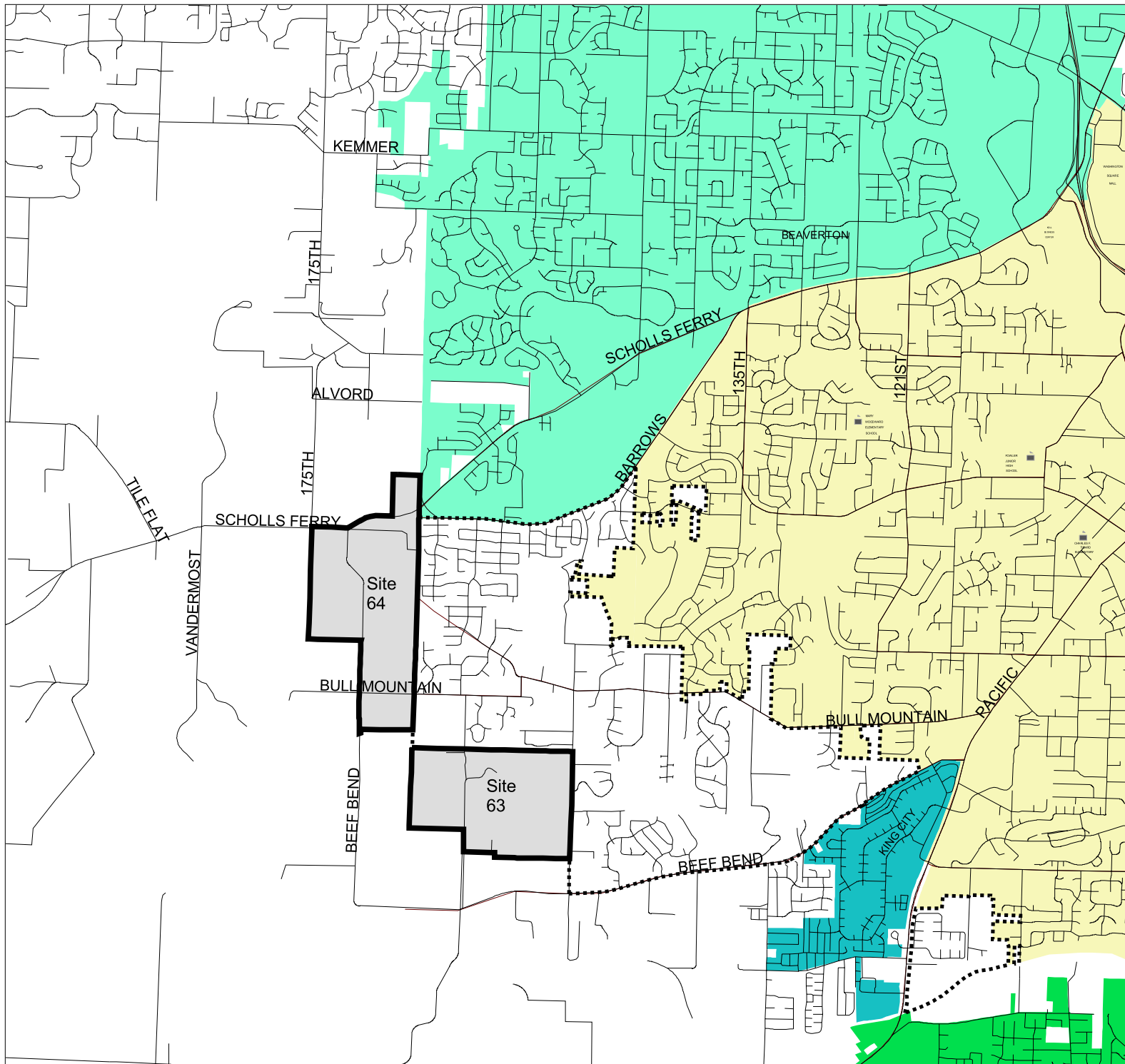
- ⇒ **Have Metro revise our calculations downward or reject proposed targets;**
- ⇒ **Secure parkland outside the City in near-term; or**
- ⇒ **Lower the parks standard?**

## **Neighborhood Commercial**

With an expected population of 10,235 to 12,905 residents in Bull Mountain at build-out, and an expected 5,066 residents in the expansion areas, these residents will have only one existing neighborhood commercial center, located northeast of the Bull Mountain area. This area requires the majority of residents to utilize a car.

A neighborhood-oriented commercial center at "the edge" (where Bull Mountain today meets the expansion lands) with higher residential densities nearby to support this commercial use, could integrate the two communities. The current projections for the expansion areas do not deduct land for neighborhood commercial .

<b>3.</b>	<b>Does the City want neighborhood commercial in the Bull Mountain expansion areas? If so, should Metro revise the dwelling unit projection to deduct acreage for commercial purposes?</b>
	<b>Questions for Metro or City staff:</b>



**CITY of TIGARD**  
 GEOGRAPHIC INFORMATION SYSTEM

### Proposed UGB Lands Adjacent to Bull Mountain

Lands Proposed for UGB Inclusion

Streets

**Tigard AOI**

Area of Interest

Urban Service Area

**Cities**

Tigard

Beaverton

King City

N

0 1000 2000 3000 4000 Feet  
 1"= 3375 feet

City of Tigard

Information on this map is for general location only and should be verified with the Development Services Division.  
 13125 SW Hall Blvd  
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